

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1890 of 2016**

Shivkumar Gandharv, S/o Shri Ramavtar Gandharv, aged about 20 years, R/o Village Udgan, Police Station Bilha, Distt. Bilaspur (CG).

---- Appellant**Versus**

State of Chhattisgarh Through the Police Station, Bilha, District Bilaspur, Chhattisgarh.

---- Respondent

21.03.2016	Shri Malay Shrivastava, Advocate for the Applicant. Shri Neeraj Sharona, Deputy Govt. Advocate for the State. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No. 60/2016 registered at Police Station Bilha, District Bilaspur, for the offence punishable under Sections 34(2) and 59 (a) of the Chhattisgarh Excise Act. Case of the prosecution, in brief, is that 8 bulk liters of illicit liquor was seized by the police from the present applicant. Learned counsel for the applicant submits that the applicant is in detention since 08.03.2016. He further submits that applicant has no criminal background and has been falsely implicated in the case, and therefore, the applicant may be released on bail. On the other hand, learned counsel for the State opposes the bail application.	

	I have heard the counsel appearing for the parties. Without commenting on merits, considering the totality of the facts and circumstances of the case, small quantity of liquor and also considering the fact that the applicant is in detention since 08.03.2016, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with two surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed. Certified copy as per rules. Sd/- (P.Sam Koshy) JUDGE	
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