

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 103 of 2016

- Shankar Mandavi S/o Sadhuraam Mandavi Aged About 47 Years R/o Village Gahirabhedi, Police Station Gendatola, Tahsil & Distt. Rajnandgaon, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through The Police Station Gendatola, Distt. Rajnandgaon, Chhattisgarh. --- **Respondent**

MCRC No. 111 of 2016

- Gautriha Ram Gadariya S/o Jagadish Ram Gadariya Aged About 50 Years R/o Village Gahirabhedi, Police Station Gendatola, Tahsil & District Rajnandgaon Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through The Police Station Gendatola District Rajnandgaon Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Shaleen Singh Baghel, Advocate
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.01.2016

1. The applicants have filed these two bail applications under Section 439 of the Code of Criminal Procedure seeking grant of regular bail in connection with Crime No.86 of 2015 registered at P.S. Gendatola, Rajnandgaon Distt. Rajnandgaon (C.G) for the offence punishable under Section 34(2) of the Excise Act.
2. Since both the applications are relating to same crime number, they are being disposed of by this common order.
3. The prosecution case, in brief, is that when a raid was conducted, 09 bulk litres of illicit liquor was seized from the common possession of the applicants.
4. Learned counsel for the applicant submits that the applicants are in

jail since 10.12.2015 and the seizure having been made, no further investigation is necessary.

5. Per contra, learned State Counsel opposes the bail application. However, he submits that the concerned SHO has reported that the applicants have no past antecedents.
6. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 09 bulk litres; offence is triable by the JMFC and the applicants are in jail since 10.12.2015, this Court is inclined to release them on bail. Accordingly, both the applications are allowed.
7. The applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court.
8. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE