

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2610 of 2016

- Thaneshwar Chandrakar S/o Awadhram Chandrakar Aged About 35 Years R/o Village Chourela, Police Station Arjunda, District Balod Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Gunderdehi, District - Balod Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Purnendra Khichariya, Advocate.

For Non-Applicant: Shri Gary Mukhopadhyay, Deputy Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

06.06.2016

1. 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 on 20.04.2016 in connection with crime No.124/2016 registered at Police Station Gunderdehi, District - Balod for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 6.120 bulk liters of illicit liquor was seized by the police from the present applicant.
3. Learned counsel for the applicant submits that the applicant is in detention since 20.04.2016. 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.
4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard the counsel appearing for the parties.
6. 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 20.04.2016, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. 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 sureties in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
V. JUDGE