

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3574 of 2016

1. Yogesh Kumar Sonkar & Anr. S/O Shri Shri Khedu Ram Sonkar Aged About 32 Years R/O Ghughuwa, Police Station Amleshwar, Civil And Rev. District Durg Chhattisgarh.
2. Dhanpal Sonkar S/O Shri Narayan Sonkar Aged About 21 Years R/O Ghughuwa, Police Station Amleshwar, Civil And Rev. District Durg Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station D.D. Nagar Raipur Chhattisgarh.

---- Respondent

For Applicants : Ms. Ranjana Jaiswal, Advocate

For Respondent/State : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12-07-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested 9-5-2016 in connection with Crime No. 105 of 2016, registered at Police Station D.D. Nagar, Raipur, District Raipur (CG) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 23.400 liters and he was arrested on 9-5-2016.
3. Learned counsel appearing for the applicants submits that the applicants have been falsely implicated in the case and they are in jail since 9-5-2016 and charge-sheet in this case has been filed, therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicants have no previous antecedents of similar offence.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 23.400 liters, offence is triable by the JMFC, charge-sheet in this case has been filed and the applicant is in jail since 9-5-2016, this court is inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju