

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3715 of 2016

1. Vijay Kumar Dhiddhi S/O Late Sukhchand Dhiddhi Aged About 28 Years R/O Satnami Para, Silyari, Police Station Dharsinva, Chouki Silyari, Raipur, District Raipur, Chhattisgarh.
2. Balwant Singh Thakur S/O Late Sukul Singh Thakur Aged About 54 Years R/O Station Para, Silyari, Police Station Dharsinva, Chouki Silyari, Raipur, District Raipur, Chhattisgarh.

---- Applicants

Versus

- The State Of Chhattisgarh Through District Magistrate, P.S. Dharsinva, Raipur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Vikram Singh, Advocate

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14-07.2016

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 on 2-6-2016 in connection with Crime No. 181 of 2016, registered at Police Station Dharsinva, 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 9 liters and they were arrested on 2-6-2016.
3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case, charge-sheet has been filed in this case, they are in jail since 2-6-2016 and no

further investigation is required, 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 9 liters, offence is triable by the JMFC, charge-sheet in this case has been filed and the applicant is in jail since 2-6-2016, this court is inclined to release the applicant 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