

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4938 of 2016

- 1. Aalok Verma @ Bablu, S/o Dilharan, Aged About 24 Years.
- 2. Ashwani Verma, S/o. Motilal Verma Aged About 25 Years.

Both are R/o. Village - Sewar, P.S. - Chakarbhata, Civil & Revenue District - Bilaspur Chhattisgarh

---- Applicants

Versus

State of Chhattisgarh Through Police Station / Excise Circle Bilha, District Bilaspur Chhattisgarh

--- Respondent

For Applicants	: Mr. Anil Gulati, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/08/2016

- 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 in connection with Crime No. 120/2016 registered at – Police Station – Excise Circle Bilha, District Bilaspur (C.G.) for the offence punishable under Sections 34(1)(A) and 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 16.2 liters and they were arrested on 15.07.2016.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and the applicants are in jail since 15.07.2016, therefore, they may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 16.2 liters; offence is triable by the JMFC and the applicants are in jail since 15.07.2016, this Court is inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs. 25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge