

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6330 of 2016

1. Omprakash Sahu S/o Shri Dooj Ram Sahu, Aged About 25 Years, R/o Rajiv Nagar, Police Station Khursipar, Bhilai, District Durg, Chhattisgarh (Mob.No. 7724983987)
2. Amandip Singh S/o Shri Kalwant Singh Aged About 21 Years R/o Shastri Nagar Camp, Police Station Chhawani, Bhilai, District Durg Chhattisgarh M.No. 9755910693.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Mandir Hasaud, District Raipur, Chhattisgarh

---- Respondent

For applicants – Shri C.R. Sahu, Advocate.
For Respondent/State –Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/10/2016

1. This is the second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn on 30/08/2016 vide M.Cr.C. No.5019 of 2016 with liberty to repeat the same after examination of the seizure witnesses.
2. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.154/2016 registered in Police Station Mandir Hasaud, Raipur, District Raipur (CG) for offence punishable under Section 34 (2) of C.G. Excise Act.
3. As per the prosecution case, on 17/06/2016 from the possession of the applicants 120.96 bulk liters of liquor was seized. Thereby, the offence

is committed.

4. Learned counsel for the applicants submits that seizure witnesses namely Sonu Sahu and Surendra Sahu have been examined and they have not supported the case of the prosecution, therefore the applicants may be released on bail.

5. Learned State counsel do not dispute the fact that seizure witnesses have not supported the case of the prosecution

6. Taking into such fact that the seizure witnesses namely Sonu Sahu and Surendra Sahu have been examined and they have not supported the case of the prosecution, this Court is inclined to release the applicants on bail. Accordingly, this application is allowed.

7. It is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-
(Goutam Bhaduri)
JUDGE