

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6371 of 2016

Rajendra Kumar Chelak S/o Sudha Chelak Aged About 25 Years
R/o Village Khilora, Police Station Bhatapara (Gramin), Civil &
Revenue District Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Bhatapara (Gramin), Civil & Revenue District Baloda Bazar
Bhatapara, Chhattisgarh.

----Respondent

And

MCRC No. 6372 of 2016

Smt. Ram Kunwar Chelak W/o Sudha Chelak Aged About 50 Years
R/o Village Khilora, Police Station Bhatapara (Gramin), Civil &
Revenue District Baloda Bazar - Bhatapara Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Bhatapara (Gramin), Civil & Revenue District Baloda Bazar
- Bhatapara Chhattisgarh

---- Respondent

For applicants - Shri J.R. Verma, Advocate.
For Respondent/State – Shri Ashutosh Pandey, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

18/10/2016

1. Both these bail applications are decided by this common order as they are arising out of the same crime number.
2. The applicants have preferred these application for grant of bail as they are arrested in connection with Crime No.157/2016 registered in Police Station Bhatapara (Gramin), Civil and Revenue District Baloda Bazar-Bhatapara (C.G.) for offence punishable under section 34 (2) of the Chhattisgarh Excise Act.

3. As per the prosecution case, on an information received that on 17/05/2016 the applicants are in possession of illicit liquor, on raid being conducted from the vehicle kept in the premises of the applicants and other co-accused total 90 bulk liters of liquor was seized.

4. Learned counsel for the applicants submits that liquor was not seized in person from the applicants and it was from the open place, therefore it cannot be attributed that it was in the possession of the applicants. He submits that charge sheet has been filed, therefore the applicants may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Perused the case diary and the documents. Considering the nature of recovery, it appears to be from the courtyard and also considering the fact that no past antecedents have been reported against the applicants, this court is inclined to release the applicants on bail.

7. Accordingly, the bail applications are allowed and 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