

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7440 of 2016

1. Mithalesh Singh S/o Chandrashekhhar Singh, Aged About 29 Years R/o Village - Khursipar, Bhilai, District Durg Chhattisgarh
2. Govind Tiwari, S/o Rajnath Tiwari, Aged About 38 Years R/o Bhanpuri, Police Station Khamtari, Raipur District Raipur Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Ambagarh Chowki District Rajnandgaon Chhattisgarh

Respondent

For Applicants : Shri Rajeev Shrivastava, Advocate.

For Respondent : Shri Anupam Dubey, Dy. Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

15.11.2016

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with crime No.199/2016 registered at Police Station Ambagarh Chowki, District - Rajnandgaon for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
2. Case of the prosecution, in brief, is that 17.28 bulk liters of illicit liquor was seized by the police from the present applicants.
3. Learned counsel for the applicant submits that the applicant is in detention since 26.10.2016. He further submits that applicant has no criminal background and has been falsely implicated in the case, and therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Without commenting on merits, considering the totality of the facts and circumstances of the case, small quantity of liquor and also considering the fact that the applicant is in detention since 26.10.2016, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the present bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- each with two sureties in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(P. Sam Koshy)
JUDGE