

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C. No. 7467 of 2016**

1. Dharmendra Netam S/o Saradram Netam Aged About 20 Years R/o Village Pitechuwa Police Station Vishrampuri Civil & Revenue District Kondagaon Chhattisgarh
2. Rajuram Mandavi S/o Mohan Mandavi Aged About 21 Years R/o Village Pitechuwa Police Station Vishrampuri Civil & Revenue District Kondagaon Chhattisgarh

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through : The Police Station Narharpur, District North Bastar Kanker, Chhattisgarh

**----- Respondent**

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For Applicants : Shri Pravin Kumar Tulsyan, Advocate.

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

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**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.200/2016 registered at Police Station Narharpur District North Bastar Kanker (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
2. Case of the prosecution, in brief, is that 13.14 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 31.10.2016. 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 31.10.2016, 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**