

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6155 of 2017

1. Hemlal S/o Ramnarayan Chelak Aged About 53 Years R/o Village Chherkadeeh, Police Station And Tahsil Palari, District Balodabazar Bhatapara Chhattisgarh
2. Bhojlal Chelak S/o Hemlal Chelak Aged About 24 Years R/o Village Chherkadeeh, Police Station And Tahsil Palari, District Balodabazar Bhatapara Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Palari, District Balodabazar Bhatapara, Chhattisgarh

---- Respondent

Shri Yogesh Chandra, counsel for the applicant/s.
Shri Chandresh Shrivastava, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/11/2017

Heard.

The applicants have been arrested in connection with Crime No.227/2017 registered at Police Station – Palari, District – Baloda Bazar, Bhatapara (CG) for alleged commission of offences under Section 34 (2) of Excise Act.

2. Case of the prosecution is that the applicants were found in illegal possession of 288 bulk liters of country made liquor.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated and no such offence has been committed by them. He submits that during trial, seizure witnesses have been examined and they have not supported seizure of liquor from the possession of the applicants. Therefore, the applicants may be granted bail.

4. On the other hand, learned State counsel opposes bail application and submits that allegations are seizure of huge quantity of liquor. Therefore, the applicants may not be granted bail.

5. Taking into consideration the submission of learned counsel for the parties and that during trial, seizure witnesses have already been examined and they have not supported the seizure of liquor from the applicants and that the applicants are not likely to abscond or tamper with the prosecution witnesses and also that the applicants have no criminal antecedent, I am inclined to grant bail to the applicants.

6. Accordingly, the application is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the Trial Court. They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge