

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3417 of 2017

- Mela Ram, S/o Ramnathiya, aged about 35 years, R/o Village Dumhani, Police Station Bilaigarh, District Baloda Bazar Bhatapara (CG)

---- Applicant (In Jail)

Versus

- State Of Chhattisgarh Through : Station House Officer, Police of Police Station Bilaigarh, District Balodabazar-Bhatapara (CG)

---- Non-applicant

For Applicant	:	Shri Anil Gulati, Advocate.
For Respondent	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

13/06/2017

1. The applicant has preferred this application under Section 439 Cr.P.C. for grant of regular bail as he is in custody since 25.4.2017 in connection with Crime No.183/17 registered at Police Station Bilaigarh, District Balodabazar-Bhatapara (CG) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that the applicant has been found in illegal possession of 5.76 litres country made liquor.
3. Learned counsel for the applicant submits that the applicant is in jail since 25.4.2017 and the trial is likely to take some more time for its disposal, therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State has opposed the bail application.

5. Considering the totality of case, in particular the small quantity of liquor and period of detention of the applicant, without commenting on merits, this Court is of the opinion that present is a fit case where the applicant should be enlarged on bail.
6. Accordingly, the bail application is allowed. It is directed that on applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the Court below concerned, he be released on bail for his appearance before the Court below concerned as and when directed.
7. Certified copy as per rules.

Sd/-

(P. Sam Koshy)
Vacation Judge

roshan/-