

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 953 of 2017

Ramji Sahu, S/o. Gautam Sahu, Aged About 40 Years, R/o. Village Sajapali,
Chowki- Bhavarpur, Thana Basna, Tahsil District Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Basna,
District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant : Mr. Purnendra Khichariya, Advocate
For Respondent : Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy
Order On Board

23/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 14/2017, registered at Police Station- Basna, District – Mahasamund (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per prosecution case, the applicant was found to be in possession of illicit liquor measuring about 36 bulk liters and he was arrested on 30.01.2017.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 30.01.2017; therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicant has no previous antecedents of similar

offence.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 36 bulk liters; offence is triable by the JMFC and the applicant is in jail since 30.01.2017, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Judge