

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1013 of 2017

1. Parasmani Trivendra S/o Kaliram Trivendra, Aged About 19 Years
R/o Village Sankri, Police Station Abhanpur, District Raipur,
Chhattisgarh.
2. Subhash Kumar Dhruw, S/o Shri Ram Dhruw, Aged About 19 Years
R/o Village Sankri, Police Station Abhanpur, District Raipur,
Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh through the Station House Officer, Police
Station Abhanpur, District Raipur, Chhattisgarh. --- **Respondent**

For the applicants	: Mr. D. N. Prajapati, Advocate
For the Respondent	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice GOUTAM BHADURI

Order on Board

01.03.2017

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 17/2017 registered at Police Station Abhanpur, Distt. Raipur (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid was conducted by the Police on 19.1.2017, from the joint possession of the applicants approximately 15.500 bulk litres of illicit liquor was seized.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and no seizure was made in person from them. He further submits that the applicants are in jail since 19.01.2017 and the alleged seizure having been made, no further investigation is necessary, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application. However, he is not able to dispute the fact that earlier any case of similar nature u/s 34(2) of the C.G. Excise Act was registered against them.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is only 15.500 bulk litres; offence is triable by the JMFC and the applicants are in jail since 19.01.2017, this Court is inclined to release them on bail.
6. Accordingly, this application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE