

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1350 of 2017

1. Suraj Yogi, S/o. Late Shri Bhuneshwar Yogi, aged about 26 years, R/o. Gram – Aamdi, District -Dhamtari Chhattisgarh, Current Address C/o. Bhagwat Verma, Near Heena Store, Banjari Nagar Raipur, Thana – Khamtarai, Raipur (C.G.)
2. Pappu Sahu, S/o. Shri Shashikant Sahu, aged about 27 years, R/o. Gram Ahmadpur, Thana-Bamni, District – Mandla (M.P.), Current Address C/o. Sarita Tilange, Near Heena Store, Banjari Nagar Raipur, Thana-Khamtarai, Raipur (C.G.)

---- Applicants

Versus

The State of Chhattisgarh, Through : the Aarakshi Kendra, Police Station – Urla, District – Raipur (C.G.)

---- Respondent

For Applicants	:	Mr. Sandeep Singh, Advocate
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer

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

22/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 26.01.2017 in connection with Crime No. 31/2017, registered at Police Station- Urla, District – Raipur (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per prosecution case, on information being received a raid was conducted by the police party whereby the applicants were found to be in possession of 8.64 bulk liters of liquor and the same was recovered from them and thereby the aforesaid offence was committed.
3. Learned counsel for the applicants submits that the applicants have

been falsely implicated in this case, the seizure was not made from the applicants and they are in jail since 26.01.2017; therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case, particularly the fact that it is the first offence of the applicants and they are in custody since 26.01.2017, this Court is of the view that it is a fit case where the applicants can be released on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed and It is directed that the applicants shall be released on bail on each of them 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 their appearance as and when directed.

Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Judge