

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2500 of 2017

1. Suraj Gendre, son of Dagaram Gendre, aged about 22 years,
2. Sonu Banjare, son of Gangu Banjare, aged about 19 years,

Both are resident of Bhagat Singh Ward, Tahsil Bhatapara, P.S. Bhatapara (City), Revenue and Civil District – Baloda Bazar – Bhatapara (CG)

---- Applicants

Versus

State Of Chhattisgarh Through S.H.O. P.S. Bhatapara (City), Revenue and Civil District, Baloda Bazar, Bhatapara (CG)

---- Respondent

For Applicant	:	Shri A.P. Sharma, Advocate
For Respondent / State	:	Shri Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

15/06/2017

1. The instant bail application has been filed under Section 439 of CrPC in connection with Crime No.123/2017 registered at police station – Bhatapara (city), Baloda Bazar- Bhatapara (CG) for the offences punishable under Sections 34 (2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 9 bulk liters of illicit country made liquor was seized by the police from the present applicants.
3. Learned counsel for the applicants submits that the applicants are in jail since 30/03/2017. He further submits that the applicants have no criminal background and they have been falsely implicated in the case, and therefore, the applicants may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard the counsel appearing for the parties.

6. Without commenting on merits, considering the totality of the facts and circumstances of the case, small quantity of liquor and also considering the fact that the applicants are in jail since 30/03/2017, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of CrPC is allowed.

8. 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/- with two sureties in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(P. Sam Koshy)
V. JUDGE