

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3424 of 2017

- Sattar Dewar S/o Gaffur Dewar Aged About 65 Years R/o Shanti Chowk, Dewarpara, Ranitarai, Police Station Ranitarai, Tahsil & District- Durg, Chhattisgarh.

---- Applicant (in jail)

Versus

- State Of Chhattisgarh Through Thana Incharge, Police Station Raintarai, Tahsil & District- Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Jitendra Gupta, Advocate.
For Respondents/State	:	Shri Surya Kant Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/06/2017

1. The present applicant is in jail since 07.04.2017 in connection with Crime No.49/2017 registered at Police Station Raintarai, Tahsil & Distt. Durg (C.G.), for the commission of offence punishable under Section 34(2) of the Excise Act, 1915
2. Case of the prosecution, in brief, is that 8.460 bulk liters of illicit country made liquor was seized from the possession of the present applicant by the police.
3. Learned counsel for the applicant submits that the applicant is in detention since 07.04.2017. He further submits that the applicant has no criminal antecedents and has been falsely implicated in the case, and therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel for the parties and perused the case diary.

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 applicant is in detention since 07.04.2017, this Court is of the opinion that the present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the present bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that in case if the applicant furnishes a personal for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, then he shall be released on bail. The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(P. Sam Koshy)
V. Judge