

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3369 of 2017

- Suklal Nayak S/o Late Govind Nayak, Aged About 42 Years R/o Khalbada Gudhiyari, Raipur, Tahsil & District Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gudhiyari, Raipur, District Raipur, Chhattisgarh.

---- Non-applicant

For Applicant : Shri C.R. Sahu, Advocate.

For Non-applicant : Shri Satish Gupta, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

12.06.2017

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.86/2017 registered at Police Station Gudhiyari, Raipur, for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 5.76 bulk liters of illicit country made liquor was seized by the police from the present applicant.
3. Learned counsel for the applicant submits that the applicant is in detention since 10.04.2017, therefore, he 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 applicant is in detention since 10.04.2017, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on 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 his appearance as and when directed.
9. Certified copy as per rules.

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