

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3380 of 2017**

- Santosh Kumar S/o Late Shankar Vishwakarma, Aged About 28 Years R/o Titurdeeh, Near Water Tank, Ward No. 22, Durg, Tahsil & District Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The District Magistrate Durg And Also Through In-Charge Of Police Station Excise Circle, Durg, City (East) Tahsil & District Durg, Chhattisgarh.

---- Non-applicant

For Applicant : Ms Mandvi Bharadwaj, Advocate.

For Non-applicant : Mr. Neeraj Jain, 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.01/2017 registered at Police Station – Excise Circle, Durg City (East), Durg (C.G.) for the offence punishable under Section 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 applicant.
3. Learned counsel for the applicant submits that the applicant is in detention since 12.04.2017. He further submits that applicant has no

criminal background 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 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 12.04.2017, 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