

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3447 of 2017

Khilawan Yadav S/o Chaituram Yadav, Aged About 32 Years Labours And Agriculturist, R/o Village- Ganiyari, Police Station Pulgaon Tahsil And District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through : The District Magistrate, Durg, District- Durg, Chhattisgarh

---- Respondent

For Applicant/s	:	Shri D.N.Prajapati, Advocate.
For Respondent / State	:	Shri Suryakant Mishra, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

13/06/2017

1. The instant bail application has been filed under Section 439 of CrPC in connection with Crime No.211/2017 registered at police station – Durg, District – Durg, C.G. for the offences punishable under Sections 34 (2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 6.300 bulk liters of illicit foreign liquor was seized by the police from the present applicant.
3. Learned counsel for the applicant submits that the applicant is in detention since 31/03/2017. 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 31/03/2017, 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 CrPC 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.

Certified copy as per rules.

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