

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3400 of 2017

1. Raghuveer Sahu, aged about 21 years, son of Paras Ram Sahu
2. Dhananand, aged about 26 years, son of Balaram.

Both are by Caste- Sahu, R/o Village Nariyara, P.S. and Tahsil Hasaud, District Janjgir-Champa (CG)

---- Applicants (In Jail)

Versus

- State Of Chhattisgarh Through : The District Magistrate, Janjgir Champa (CG)

---- Non-applicant

For Applicants	:	Shri Rajat Agrawal, Advocate
For Respondent	:	Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

13/06/2017

1. The applicants have preferred this application under Section 439 Cr.P.C. for grant of regular bail as they are in custody since 3.4.2017 in connection with Crime No.1/2017 registered at Police Station- Excise Circle Dabhara, District Janjgir Champa (CG) for the offence punishable under Section 34 (1) (A), 34 (2) & 59-A of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 17.280 bulk litres foreign liquor was seized by the police from the possession of the applicants.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that there is no criminal antecedent against the applicants, they are in jail since 3.4.2017 and the trial is likely to take some more time for its

disposal, therefore, they may be released on bail.

4. On the other hand, learned counsel for the State has opposed the bail application, however, he does not dispute the fact that there is no criminal antecedent against the applicants.
5. Considering the totality of case, in particular the quantity of illicit liquor, period of detention of the applicants and the fact that they have no criminal past, without commenting on merits, this Court is of the opinion that present is a fit case where the applicants should be enlarged on bail.
6. Accordingly, the bail application is allowed. It is directed that on applicants' furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the Court below concerned, they be released on bail for their appearance before the Court below concerned as and when directed.
7. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge

roshan/-