

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3444 of 2017

Dwarika Gupta S/o Baijnath Sao Aged About 40 Years Caste- Teli,
Occupation Agriculturist, R/o Village- Beliya, Police Station Chalgali,
District- Balrampur Ramanujganj, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer Police Station
Chalgali, District Balrampur- Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	:	Shri V.K.Pandey, Advocate
For Respondent / State	:	Ms. M. Asha, 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.26/2017 registered at police station – Chalgali, District – Balrampur – Ramanujganj (CG) for the offences punishable under Sections 34 (2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 6 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 jail since 18/04/2017. He further submits that the 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 jail since 18/04/2017, 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 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