HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.3480 of 2017

- Dhan Singh Gond S/o Shri Shyamu Gond Aged About 25 Years R/o Madhuban Road Dayalband Police Station City Kotwali, District Bilaspur, Civil & Revenue District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O City Kotwali, Bilaspur, District- Bilaspur, Chhattisgarh.

------Respondent

For Applicant : Shri Dheerenda Pandey, Advocate.

For Respondent : Ms. Tripti Rao, Panel Lawyer for the State.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

On 15.06.2017.

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.127/2017 registered at Police Station City Kotwali, Bilaspur, Distt. Bilaspur for the offence punishable under Section 34 (1), 34(2) & 59-A of the Chhattisgarh Excise Act.

2. Case of the prosecution, in brief, is that 6.375 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 02.4.2017. 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, particularly the seizure of small quantity of liquor and also considering period of custody undergone, this Court is of the opinion that present is the 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 solvent sureties in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

9. If any similar criminal antecedent of the applicant is pointed out at a later stage, the instant bail order shall automatically stand cancelled.

Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge

Bini