

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3455 of 2017

1. Satish Verma & Anr. S/oo Gayaram Verma, Aged About 44 Years R/o Naya Amapara, Shankar Nagar, Near Shiv Mandir, Police Station- Mohan Nagar, District- Durg, Chhattisgarh.
2. Santosh Thakur, S/o Sonuram Thakur, Aged About 45 Years R/o Naya Amapara, Shankar Nagar, Near Shiv Mandir, Police Station- Mohan Nagar, District- Durg, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through ; Station House Officer, Police Station- Mohan Nagar, District- Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Wasim Miyan, Advocate.
For Respondents/State	:	Shri S.K.Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/06/2017

1. The present applicants are in jail since 31.03.2017 in connection with Crime No.160/2017 registered at Police Station Mohan Nagar, Dist. Durg (C.G.), for the commission of offence punishable under Section 34(2) of the Excise Act, 1915
2. Case of the prosecution, in brief, is that 18.00 bulk liters of illicit country made liquor was seized from the possession of the present applicants by the police.
3. Learned counsel for the applicant submits that the applicants are in detention since 31.03.2017. He further submits that the applicants have no criminal antecedents and have been falsely implicated in the case, and therefore, the applicants may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.

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 applicants are in detention since 31.03.2017, this Court is of the opinion that the present is a fit case for grant of bail to the applicants.

7. Accordingly, the present bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that in case if the applicants furnish personal bond for a sum of Rs.25,000/- with one surety of the like amount each to the satisfaction of the concerned trial Court, then they shall be released on bail. The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

(P. Sam Koshy)
V. Judge