

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3606 of 2017**

Chandrakumar Sahu S/o Chhannu Lal Sahu aged about 35 years R/o village Salhekala Police Station and Tahsil Chhuikhadan District Rajnandgaon (CG)

Applicant

Versus

State of Chhattisgarh through Station House Officer Police Station Chhuikhadan District Rajnandgaon (CG)

Respondent

For Applicant : Shri Abhishek Sharma, Advocate.

For Respondent : Shri Lav Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

14.06.2017

1. 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.25/2017 registered at Police Station Chhuikhadan, District Rajnandgaon for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that 5.760 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 15.2.2017. He further submits that seizure witness who have been examined during the course of the trial, has turned hostile and not supported the case of the prosecution. He lastly submits that applicant 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 15.2.2017, 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 sureties in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge