

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3861 of 2017

1. Hemant Lahre S/o Lakhan Lahre Aged About 32 Years Caste- Satnami, R/o Village- Hadmudi (Near Village Lalpur), Police Station- Nawagarh, District- Bemetara, Chhattisgarh.
2. Akhil Kumar Bhaskar S/o Late Basant Bhaskar Aged About 30 Years Caste- Satnami, R/o Village- Rajpura (Near Village- Kohadiya), Police Station- City Kotwali, Mungeli, District- Mungeli, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- City Kotwali, Mungeli, District- Mungeli, Chhattisgarh.

---- Non-applicant

For Applicants	:	Mr. Vipin Singh, Advocate
For Non-applicant	:	Mr. Anant Bajpai, PL

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/06/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 272/2017, registered at Police Station- City Kotwali Mungeli District Mungeli (CG) for the offence punishable under Sections 34(1)(A), 34(2), 59 of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 6.480 bulk liters and they were arrested on 21.5.2017.
3. Learned counsel for the applicants submits that the applicant have falsely been implicated in this case and they are in jail since

21.5.2017, therefore, they may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicants have no previous antecedent of similar offence.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 6.480 bulk liters; offence is triable by the JMFC and the applicants are in jail since 21.5.2017, this Court is inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants, namely, Hemant Lahre and Akhil Kumar Bhaskar shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
Judge