

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.5866 of 2017**

1. Niharu Nishad S/o Jageshwar Nishad, Aged About 20 Years R/o Village Rikokala, Police Station Rajadevari, Tahsil & District Balodabazar Bhatapara Chhattisgarh.
2. Pardeshi Nishad, S/o Jageshwar Nishad, Aged About 32 Years R/o Village Rikokala, Police Station Rajadevari, Tahsil & District Balodabazar Bhatapara Chhattisgarh.
3. Kumar Nishad, S/o Guru Singh, Aged About 26 Years R/o Village Rikokala, Police Station Rajadevari, Tahsil & District Balodabazar Bhatapara Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer Police Station Sankara, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant	: Shri Vikash Pradhan, Advocate
For Respondent/State	: Shri Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.10.2017**

Heard the matter finally.

2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with Crime No.138/2017 registered in Police Station Sankara, Distt. Mahasamund (CG) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
3. Case of the prosecution in brief is that 15.00 bulk liters of illicit handmade country liquor has been seized by the Police from the possession of the present applicants.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the case and they are in jail since 31.8.2017, therefore, they may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Considering the quantity of liquor which is alleged to have been seized from the possession of the applicants and also the fact that the applicants are in jail since 31.8.2017, prima facie, I am of the opinion that it is a fit case where the present applicants can be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for their appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
JUDGE