

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6291 of 2017**

1. Puran Lal Sonwani, son of Daya Ram Sonwani, aged about 36 years, R/o. Village Bhatiya, P.S. Kharora, District Raipur (C.G.)
2. Ganga Prasad, son of Gaiind Das Dhritlahare, aged about 29 years, R/o. Village Lanja, P.S. Kharora, District- Raipur (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through the Station House Officer, Police Station Suhela, District Balodabazar- Bhatapara (C.G.)

---- Non-applicant

For Applicants : Mr. Yogesh Chandra, Advocate.
 For Non-applicant/State : Mr. Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/11/2017**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.127/2017 registered at Police Station – Suhela, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34 (2) of the CG Excise Act.

(2) Case of the prosecution, in brief, is that 234 bulk liters of illicit liquor was seized from the possession of the present applicants and thereby committed the aforesaid offence.

(3) Counsel for the applicants submits that applicants have falsely

been implicated in the crime in question as they have not committed any offence. He would further submit that applicants are in jail since 18.09.2017 and, therefore, the applicants may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Considering the totality of the facts, in particular, the provisions contained in Section 59-A(ii) of the C.G. Excise Act, 1915; and looking to huge quantity of liquor; I am not inclined to release the applicants on bail. Thus, the bail application is rejected. However, the applicants are at liberty to repeat the bail application after examination of material prosecution witnesses.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

