

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 65 of 2018

1. Manish S/o Madhukar Maseeh, Aged About 27 Years R/o Village Vishrampur, Police Station Simga, District Balodabazar- Bhatapara Chhattisgarh, Chhattisgarh
2. Beeru, S/o Deepak @ Steven Maseeh, Aged About 19 Years R/o Village Vishrampur, Police Station Simga, District Balodabazar- Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Nonghat, District Bemetara Chhattisgarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sanjeev Kumar Sahu, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15.02.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested in connection with Crime No. 372/2017, registered at Police Station- Nanghat, District – Bemetara, (C.G.) for the offence punishable under Section 34(2) 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 17.12.2017.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 17.12.2017, 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 antecedents 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 17.12.2017, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. 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 each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd / -

(Rajendra Chandra Singh Samant)
Judge