

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C. No. 881 of 2018**

- Ramchandra Salam S/o Ashok Salam Aged About 22 Years R/o Village Selegaon Tahsil Bhanupratappur, District North Bastar Kanker Chhattisgarh, District : Kanker, Chhattisgarh

**---- Applicant**

**Versus**

- State Oif Chhattisgarh Through The Police Station Korar, District North Bastar Kanker Chhattisgarh, District : Kanker, Chhattisgarh.

**---- Respondent**

**And**

**M.Cr.C. No. 1457 of 2018**

- Roman Sahu S/o Santoshi Sahu Aged About 18 Years R/o- Village Selegaon P.S. Korar Tahsil Bhanupratappur District- North Bastar Kanker, Chhattisgarh., District : Kanker, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through- The Police Station Korar District- North Bastar Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

**---- Respondent**

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| For the Applicants       | : | Shri P. K. Tulsiyan,<br>Advocate. |
| For the Respondent/State | : | Shri Vinod Tekam, PL.             |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**22.02.2018**

1. Both the applications are heard and decided together by this common, order, as both the bail applications are arising out of the same crime number and offences.
2. 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. 110/2017, registered at Police Station- Korar, District – North Bastar Kanker, (C.G.) for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.
3. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 25.920 bulk liters. In M.Cr.C. No. 881 of 2018, the applicant - (Ramchandra Salam) was arrested on 26.12.2017 and in M.Cr.C. No. 1457 of 2018, the applicant - (Roman Sahu) was arrested on 27.12.2017.
4. Learned counsel for the applicants submits, that the applicants have falsely been implicated in this case, therefore, they may be released on bail.
5. 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.
6. Taking into consideration the totality of the circumstances and the fact that the quantity of seized illicit liquor is 25.920 bulk liters; offence is triable by the JMFC, applicant - (Ramchandra Salam) is in jail since 26.12.2017 and applicant - (Roman Sahu) is in jail since 27.12.2017., this Court is inclined to release the applicants on bail.

7. Consequently, both the applications **M.Cr.C. No. 881 of 2018** and **M.Cr.C. No. 1457 of 2018** filed under Section 439 of the Cr.P.C. are hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a 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

Jamal