

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1551 of 2018

1. Teekaram Sahu, S/o. Shri Chherka Prasad Sahu, Aged About 30 Years, Occupation- Labour, R/o. Village- Ranpagula, Police Station and Tahsil- Sarangarh, District- Raigarh, Chhattisgarh.
2. Shekhar Sahu, S/o. Shri Raghunath Sahu, Aged About 21 Years, Occupation- Labour, R/o. Village- Ranpagula, Police Station And Tahsil- Sarangarh, District- Raigarh, Chhattisgarh.

---- Applicants

Versus

The State Of Chhattisgarh, Through- The Officer In Charge Of Police Station- Sarangarh, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Roop Naik, Advocate
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

13/03/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 82/2018, registered at Police Station- Sarangarh, District – Raigarh (C.G.) for the offence punishable under Section 34(1) (a) (2) and 59 (A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 93 liters and they were arrested on 14.02.2018.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 14.02.2018; 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, one previous cases under Section 34 (C) of Excise Act was registered against the applicants, hence, the applicants may not be released on bail.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 93 liters; offence is triable by the JMFC and the applicants are in jail since 14.02.2018, 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 shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
8. Certified as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge