

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1815 of 2018

- Alok Soni S/o Ramesh Soni Aged About 36 Years R/o Village Devada, Police Station Ghumka, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
- Mubarak Khan S/o Late Mohammad Khan Aged About 42 Years R/o Village Gopalpur Police Station Ghumka, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
- Gajanand Verma S/o Manharan Verma Aged About 29 Years R/o Village Devada, Police Station Ghumka, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Ghumka District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. S. S. Baghel, Advocate
For Respondent	:	Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

19.03.2018

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. 27/2018, registered at Police Station- Ghumka, Rajnandgaon, District – Rajnandgaon, (C.G.) for the offence punishable under Sections 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 117 bulk liters and they were arrested on 24.02.2018.

3. Learned counsel for the applicants submits, that the applicants have been falsely implicated in this case and they are in jail since 24.02.2018., 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, 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 illicit liquor is 117 bulk liters; offence is triable by the JMFC and the applicants are in jail since 24.02.2018., 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 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 his appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)
Judge