

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2147 of 2018**

1. Chhotu Kurre, S/o Shri Ramdas Kurre, aged about 26 years,
2. Rajesh Kurre, S/o Shri Ramdas Kurre, aged about 19 years,
both R/o- Village- Rasouta, Post Office & Police Station -Arang,
District- Raipur (Chhattisgarh).

---- Applicants**Versus**

- State of Chhattisgarh, through: Station House Officer, Police Station- Arang, District- Raipur (Chhattisgarh).

---- Respondent

For the Applicants : Shri Shivendu Pandya Advocate
For the Respondent/State : Shri Neeraj Mehta, P. L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.04.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.96/2018, registered at Police Station Arang, District – Raipur, Chhattisgarh 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 6.300 bulk liters and they were arrested on 22.02.2018.

3. Learned counsel for the applicants submits that the applicants are in jail since 22.02.2018 and the applicants have been falsely implicated in this

case; therefore, they may be released on bail.

4. On the other hand, learned counsel for the State 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 6.300 bulk liters; offence is triable by the JMFC and the applicants are in jail since 22.02.2018, this Court is inclined to release the applicants on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the applicants shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge