

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C No.3546 of 2018

Bhagat Ram Khute S/o Shri Anand Ram Khute Aged About 35 Years By Caste- Satnami, R/o- Village- Kishanpur, Thana And Tahsil- Pithoura, Civil And Revenue District- Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer, Police Station- Pithoura, Civil And Revenue District- Mahasamund, Chhattisgarh.

---- Non-Applicant

For Applicant: Shri Sumit Shrivastav, Advocate.
For State/Non-Applicant: Shri Dilman Rati Miz, Dy. Govt. Advocate.

Single Bench: Hon'ble Shri Pritinker Diwaker, J
Order On Board

21.5.2018

1. The Applicant has filed this application under Section 439 Code of Criminal Procedure for grant of regular bail as he is in custody since 4.05.2018 in connection with Crime No.76/2018 registered at Police Station –Pithoura, District Mahasamund (CG) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per the case of the prosecution, on 4.5.2018, the Applicant was found in illegal possession of 10 bulk liters of country made liquor.
3. Learned Counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the alleged crime and is therefore, liable to be enlarged on bail.
4. On the other hand, learned counsel for the State opposed the prayer for

bail.

5. Considering the totality of the facts and circumstances of the case, in particular, the quantity of liquor seized, the fact that the applicant is in jail since 4.5.2018, without further commenting on merits, this Court is of the opinion that this is a fit case where the Applicant can be released on bail. Accordingly, the application is allowed and the accused/Applicant is directed to be released on bail on his furnishing a personal bond of Rs.50,000/- with one surety for the like sum to the satisfaction of the Court of the concerned Magistrate for his appearance before it as and when directed.

Sd/-

(Pritinker Diwaker)
V. JUDGE

Priya