

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3727 of 2018

1. Sunil Jangade S/o Shri Firatram Jangade Aged About 32 Years
R/o- Belgari Basti, Balko, Police Station Balkonagar Civil And
Revenue District- Korba, Chhattisgarh., District : Korba,
Chhattisgarh
2. Sanju Kumar Jangade S/o Shri Firatram Jangade Aged About 19
Years R/o- Belgari Basti, Balko, Police Station Balkonagar Civil
And Revenue District- Korba, Chhattisgarh., District : Korba,
Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- The Station House Officer,
Police Station- Balkonagar- Civil And Revenue District- Korba,
Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

 For Applicants :Mr. Aditya Khare, Advocate

For Respondent/State :Mr. G. Mukhopadhyay, Govt. Advocate.

Hon'ble Shri Justice Ram Prasanna Sharma
Order on Board

08/06/2018

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 on 3-5-2018 in connection
with Crime No. 189 of 2018, registered at Police Station
Balonagar, District Korba (CG) for the offence punishable
under Section 34 (2) of the Chhattisgarh Excise Act, 1915.
2. The allegation of the prosecution against the applicants is that
the applicants were found in possession of illicit liquor
measuring total about 7 liters and they were arrested on 3-5-
2018 for the said offence.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 3-5-2018, therefore, they may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail, however, he submits that as per the information received from the concerned Station House Officer the applicants have no antecedent of similar offence.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 7 liters; there is no antecedent of the applicants of similar offence and the applicants are in jail since 3-5-2018, 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 and 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 in the like sum to the satisfaction of the concerned trial Court for their appearance before the trial Court as and when directed.

Certified copy as per rules.

Sd/-

(Ram Prasanna Sharma)
Vacation Judge