

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4618 of 2018**

1. Mahaveer S/o Thakurram Aged About 65 Years
2. Sataruddin S/o Ballu Khan Aged About 22 Years

Both are R/o. Virendra Nagar, Thana Lohara, Distt. Kawardha
Chhattigarh.

---- Applicants**Versus**

The State Of Chhattisgarh, Through The Police Station Than Khamhariya
District Bemetara Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Samir Singh, Advocate
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****16/07/2018**

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. 62/2018, registered at Police Station- Than-Khamhariya, District – Bemetara (C.G.) 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 9 bulk liters and they were arrested on 08.06.2018.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 08.06.2018; 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 liquor is 9 bulk liters; offence is triable by the JMFC and the applicant is in jail since 08.06.2018, 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge