

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3808 of 2019**

1. Harbansh S/o Jethuram Jangde Aged About 39 Years R/o Village Umariya, Police Station Patharia, District Mungeli Chhattisgarh.
2. Gautariha S/o Rameshwar Rajput Aged About 20 Years R/o Village Ramtala, Police Station Sargaon, District Mungeli Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through The Incharge, Chowki, Maro, Police Station Bemetara, District Bemetara Chhattisgarh.

---Respondent

For Applicants	:	Mr. Sanjeev Kumar Sahu, Advocate
For State	:	Mr. Shailendra Dubey, Addl. A.G.

Hon'ble Shri Justice Ram Prasanna Sharma**Order on Board****07/06/2019**

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. 167/2019, registered at Police Station Chowki, Maro, Police Station Bemetara, District Bemetara (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
2. The prosecution alleges that the applicants were found to be in possession of country made liquor measuring about 8.640 Bulk Liters and they were arrested on 21.05.2019.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 21.05.2019; therefore, they may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Taking into consideration the totality of the facts and circumstances and the fact that the quantity of seized liquor is 8.640 liters; offence is triable by the J.M.F.C. and the applicants are in jail since 21.05.2019, 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 furnishing a personal bond for a sum of Rs.20,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Ram Prasanna Sharma)
VACATION JUDGE

Ved