

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3840 of 2019

1. Loknath, S/o Nemichand Thakur Aged About 20 Years
2. Kriparam S/o Ratan Yadav Aged About 40 Years
3. Ram Kumar S/o Jagatram Aged About 38 Years

(All are R/o Village Khopali, Thana And Tahsil- Bagbahara, District- Mahasamund, Chhattisgarh)

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Komakhan, District- Mahasamund, Chhattisgarh

---- Respondent

For Applicants	:	Mr. Vikash Pradhan, Advocate.
For Non-applicant/State	:	Mr. Siddhartha Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-06-2019

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. 86/2019, registered at Police Station- Komakhan, District – Mahasamund (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 20 liters and they were arrested on 28.05.2019.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 28.05.2019; 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 20 liters; offence is triable by the JMFC and the applicants are in jail since 28.05.2019, 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. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)

Vacation Judge

Monika