

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6370 of 2019

1. Ramji Kosariya, S/o Charan Kosariya Aged About 28 Years R/o Village Pilwapali, Thana & Tahsil Basna, District- Mahasamund Chhattisgarh.
2. Bhanu Pratap Khute, S/o Benuram Khute, Aged About 28 Years, R/o Village Baldihpathar, Thana & Tahsil Basna, District- Mahasamund Chhattisgarh.

---- Applicants

Versus

1. State of Chhattisgarh Through - Station House Officer, Police Station - Basna, District - Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vikash Pradhan, Advocate.
For Non-applicant/State	:	Mr. Neeraj Pradhan, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-10-2019

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. 420/2019, registered at Police Station-Basna, District-Mahasamund.G.) for the offence punishable under Sections 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 10 bulk liters and they were arrested on 30.8.2019.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 30.8.2019; 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 10 bulk liters; offence is triable by the JMFC and the applicants are in jail since 30.8.2019, 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 his 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

Nisha