

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2417 of 2020**

1. Manish Kosre S/o Shri Vishnu Kosre Aged About 23 Years R/o Satnamipara, Rajim P.S. Rajim District- Gariaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh
2. Shravan Ghrilahre S/o Shri Mohit Ram Gritlahre Aged About 24 Years R/o Satnamipara, Rajim P.S. Rajim District- Gariaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station- Panduka, District- Gariaband, Chhattisgarh.

---- Respondent

For the Applicants : Shri Pragalbha Sharma, Advocate.
 For the Respondent/State : Shri Vikram Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****06.05.2020**

The defaults pointed out by the Registry is waived.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.44 of 2020, registered at Police Station Panduka, District – Gariaband, Chhattisgarh 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 16.4.2020.

3. Learned counsel for the applicants submits that the applicants are in jail since 16.4.2020 and the applicants have been falsely implicated in this case; therefore, they may be released on bail.

4. On the other hand, learned counsel for the State opposes the prayer for grant of bail.

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 applicants are in jail since 16.4.2020, this Court is inclined to release the applicants on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge