

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2458 of 2020

1. Dharampal Kurre, S/o Shri Jagatram, aged about 32 years.
2. Atisay Yadav, S/o Shri Shyam Kishore, aged about 30 years.
Both are R/o Village- Dhimrapur, P.S. City Kotwali Raigarh,
District- Raigarh (C.G.)

---- Applicants

Versus

The State of Chhattisgarh Through Station House Officer, Police
Station – City Kotwali Raigarh, District- Raigarh (C.G.)

---- Respondent

For Applicants : Mr. Sunil Sahu, Advocate
For State/ Respondent : Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

07/05/2020

1. Learned counsel for the applicant is directed to produce correct cause title and crime number before complying the order of this Court.
2. This is 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. 297/2020 registered at Police Station- City Kotwali Raigarh (C.G.) for the offence punishable under Section 34 (2) & 59 (A) of the Chhattisgarh Excise Act.
3. The case of the prosecution is that the applicants were found to be in possession of illicit liquor measuring about 30 bulk liters and they were arrested on 13.04.2020.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and they are in jail since 13.04.2020, therefore, they may be released on bail.
5. On the contrary, learned State counsel opposes the application for grant of bail.
6. Looking to the facts and circumstances of the case and further looking to the quantity of liquor seized in the present case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr. P. C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond in sum of Rs. 20,000/- each with one local surety each in the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial court regularly on each and every date as and when directed.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
Judge