

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2617 of 2020

1. Smt.Chainmati Ogre W/o Dhanaram Ogre Aged About 40 Years (Father Wrongly Mentioned In Impugned Order The Applicant Is Wife Of Dhanaram Ogre)
2. Naresh Kumar Ogre S/o Dhanaram Ogre Aged About 20 Years

(Both are r/o Village Khairtaal, Thana And Tahsil Nawagarh, District- Janjgir Champa, Chhattisgarh)

---- Applicants

Versus

- State Of Chhattisgarh Through- Police Station- Nawagarh, District- Janjgir Champa, Chhattisgarh

---- Respondent

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-05-2020

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. 151/2019, registered at Police Station- Nawagarh, District– Janjgir Champa (C.G.) for the offence punishable under Section 34(2) and 59(A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 60bulk liters and they were arrested on 26.04.2020.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 26.04.2020; therefore, they may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and submits that huge quantity of handmade liquor is found in possession of applicants during the lockdown. 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 60bulk liters; offence is triable by the JMFC and the applicants are in jail since 26.04.2020, 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/- each with one surety 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)
Judge