

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3050 of 2023

- Hemraj Deshmukh S/o Dashrath Lal Deshmukh Aged About 22 Years R/o Mudhiya, Police Station Suregaon, District Balod Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Police Station Suregaon, District Balod Chhattisgarh

---- Respondent

MCRC No. 3274 of 2023

- Dashrathlal Deshmukh S/o Late Sukhduram Deshmukh Aged About 48 Years R/o Mudhiya, Police Station Suregaon, District : Balod, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Police Station Suregaon, District : Balod, Chhattisgarh

---- Respondent

For Applicants	:	Mr. Kalpesh Ruparel, Advocate.
For Non-applicant/State	:	Mr. Raghvendra Pradhan, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order on Board

29-05-2023

1. These are 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. 36/2023, registered at Police Station-Suregaon, District-Balod, Chhattisgarh for the offence punishable under Sections 34(2) & 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 9.900 bulk liters and they were arrested on 05.04.2023.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 05.04.2023;

therefore, they may be released on bail.

4. Learned State counsel opposes the prayer and submissions made by the counsel for applicants.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 9.900 bulk liters; offence is triable by the JMFC and the applicants are in jail since 05.04.2023, 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.

Certified copy as per rules.

Sd/-

(Sanjay Kumar Jaiswal)
V. Judge

Nisha