

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3407 of 2016

1. Sunil Singh S/o Gopal Singh Aged About 32 Years R/o Village Kouhakuda, Post Office & Police Station Pithoura, District Mahasamund, Chhattisgarh.
2. Vashist Singh S/o Arjun Singh Aged About 22 Years R/o Village Kouhakuda, Post Office & Police Station Pithoura, District Mahasamund, Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Tumgaon, District Mahasamund, Chhattisgarh.

---- **Respondent**

MCRC No. 3408 of 2016

- Chandan Singh S/o Virendra Singh Aged About 26 Years R/o Present House No. 1193, Pandritarai Mukherji, Gandhi Nagar, Post Office Raipur, Police Station Pandri, Raipur, Tahsil & District Raipur, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Tumgaon, District Mahasamund, Chhattisgarh.

---- **Respondent**

For the applicants	:	Mr. Shivendu Pandya, Advocate
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.06.2016

1. These are two first bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No.93 of 2016 registered at P.S. Tumgaon, Distt. Mahasamund C.G) for the offence punishable under Section 34(2) of the Excise Act. Since both these applications are relating to same crime number, they are decided together by this common order.

2. As per the prosecution case, on an information received on 22.05.2016 that liquor was being transported, the offending vehicle bearing Regn.No.C.G.04/HB/7193 was intercepted and from the possession of the applicants 126 litres of liquor was seized.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated as applicant Sunil Singh and Vasisht Singh were engaged as labourers and other applicant Chandan was engaged as driver of the vehicle and they have no knowledge about the liquor kept in the vehicle and as such no allegations can be attributed that the applicants are in conscious possession of the liquor, therefore, the applicants may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and documents.
6. Considering the seizure which was allegedly made from the possession of the applicants as also considering the quantity of seized liquor which is 126 bulk litres, I am not inclined to allow these bail applications at this stage. Accordingly, both the bail applications are rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**