

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.6644 of 2016

David Soni, son of Sukhdas Soni, aged about 24 years, resident of
Yadunandan Nagar, Tifra, Police Station Sirgitti, Distt. Bilaspur (C.G).
... **Applicant**

Vs.

State of Chhattisgarh through Station House Officer, Police Station
Excise Circle West, Bilaspur, Distt. Bilaspur (C.G). **Respondent**

For the applicant	:	Mr. Sanjeev Verma, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer.

M.Cr.C. No.6866 of 2016

Bharat Sahu, son of Buddhu Sahu, aged about 19 years, r/o Vikas
Nagar, Ward No.10, Tifra, P.S. Sirgitti, Tehsil & Distt. Bilaspur (C.G).
...**Applicant**

Vs.

State of Chhattisgarh, through the Excise Circle West Bilaspur, Distt.
Bilaspur (C.G) ...**Respondent**

For the applicant	:	Mr. Atanu Ghosh, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.10.2016

1. The applicants have filed these applications under Section 439 of the Code of Criminal Procedure seeking grant of regular bail in connection with Crime No. 18/2016 registered at P.S. Excise Circle West, Bilaspur, Distt. Bilaspur (C.G) for the offence punishable under Section 34(1)(A), 34(2) & 59(A) of the Chhattisgarh Excise Act. Since these applications are arising out of the same crime number, they are decided by this common order.

2. As per the prosecution case, when a raid was conducted on 20.04.2016, from the joint possession of the applicants 270 bulk litres were recovered and the applicants were taken into custody.
3. Learned counsel for the applicants submit that these are second bail applications and the seizure witnesses have been examined and the applicants are in jail since 20.04.2016, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of seizure witness Kishan Yadav wherein positive allegations have been attributed to the applicants. Considering such statement, I am not inclined to release the applicants on bail. Accordingly, both the bail applications are rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**