

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6573 of 2016

1. Chitra Kumar S/o Late Suresh Kumar Aged About 25 Years R/o Village Sakari Police Station Vidhan Sabha Raipur Revenue & Civil District Raipur, Chhattisgarh.
2. Devendra Kumar Jangade S/o Babulal Jangade Aged About 20 Years R/o Village Loharasi Police Station Rajeem Civil & Revenue District Gariyaband, Chhattisgarh. **--- Petitioner**

Versus

- State of Chhattisgarh through Police Station Kanker, District North Bastar Kanker, Chhattisgarh. **--- Respondent**

For the applicants	:	Mr. P.K. Tulsyan, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.10.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 260 of 2016 registered at P.S. Kanker Distt. North Bastar Kanker (C.G) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. As per the prosecution case, on 23.07.2016 certain information was received that liquor was being transported in offending Vehicle bearing Regn.No.C.G.08-CB/1000, upon which, a raid was conducted by the Police. When the said vehicle was intercepted and search was being made, huge quantity of 362.880 bulk litres of illicit liquor was seized from the vehicle.

3. Learned counsel for the applicants would submit that the applicants had only taken lift in the vehicle and the entire seizure was made from one Mahendra Sahu and the notice u/s 91 Cr.P.C., was given to Mahendra Sahu, therefore, the applicants have been falsely implicated and they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents.
6. Considering the nature of recovery made and the fact that applicants were inmates of the vehicle at the time of crime and further looking to the huge quantity of liquor i.e., 362.880 litres which was seized, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**