

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6089 of 2017

- Shubham Kumar Tandon S/o Hridyaram, Aged About 29 Years, R/o Village Umarpoti, P.S. Utai, District Durg, Chhattisgarh
- Pankaj Deshlahra S/o Arjun Lal, Aged About 19 Years, R/o Village Umarpoti, P.S. Utai, District Durg, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through District Magistrate District Durg, Chhattisgarh

---- Non-applicant

For Applicant – Shri Kapil Maini, Advocate.

For Non-applicant/State – Shri Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-11-2017

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicants for grant of regular bail. The applicants have been arrested on 24-08-2017 in connection with Crime No.289/2017 registered at P.S. Utai, District Durg, C.G. for the offence under Section 34(2) of the C.G. Excise Act.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in custody since 24-08-2017. Hence, they may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 5.400 bulk liter illicit country made liquor has been seized from the possession of the applicants. Hence, they are not entitled for grant of bail.
4. Heard learned counsel for both the parties and perused the case diary.
5. Considering the submissions made and the contents of the case diary,

detention of the applicants till conclusion of trial would not serve any purpose. Hence, for these reasons the application deserves to be allowed.

6. Consequently, the application (MCRC No.6089/2017) filed under Section 439 of the Cr.P.C. by the applicants is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each 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