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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6071 of 2017**

1. Antram S/o Pyarelal, Aged About 40 Years Cast Jaysaal, R/o Village And Post Badesajapali, Police Station and Tehsil Basna District Mahasamund Chhattisgarh.
2. Manmohan, S/o Dhansay, Aged About 40 Years R/o Village And Post Badesajapali, Police Station And Tehsil Basna District Mahasamund Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through Station House Officer Police Station Basna District Mahasamund Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Vikash Pradhan, Advocate.
For the Respondent/State	:	Shri U.K.S. Chandel, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.11.2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.413 of 2017, registered at Police Station – Basna, District – Mahasamund, Chhattisgarh for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. Learned counsel for the applicants submits that the applicants are in jail since 01.09.2017 and the applicant has been falsely implicated in this case. The case has been investigated and the charge-sheet has been filed. The applicants have no criminal antecedents. As per the allegations of the prosecution case, no case is made out against the applicants and the trial of

the case is likely to take some time for its final disposal. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the quantity of seized liquor is 6.3 bulk liters. Hence, for this reason, he is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. Considering the submissions made and the contents of the case diary and the fact that the applicants are in jail since 01.09.2017, the case is already before the trial Court and the trial of the case is likely to take some time for its final disposal, the application deserves to be allowed.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. 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 in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge