

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 297 of 2018

- Manish Sen S/o Shivkumar Sen, Aged About 26 Years R/o Village Devarbija, Police Station Bemetara, District Bemetara Chhattisgarh, Chhattisgarh
- Praveen Kumar Sharma S/o Sanat Kumar Sharma, Aged About 21 Years R/o Village Devarbija, Police Station Bemetara, District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bemetara, District Bemetara Chhattisgarh, Chhattisgarh

---- Non-applicant

For Applicants – Shri Suryakant Mishra, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 17-12-2017 in connection with Crime No.817/2017 registered at P.S. Bemetara, District Bemetara, Chhattisgarh 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 17-12-2017. 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 11.880 bulk liter illicit liquor has been seized from the possession of the applicants. Also, there two proceedings under the provisions of Cr.P.C. reported against them. 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 completion of investigation and trial would not serve any purpose. Hence, for these reasons the application deserves to be allowed.

6. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail 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 Court, for their appearance as and when directed.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge