

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 859 of 2018

1. Jhariya Manjhi S/o Atwa Manjhi, Aged About 54 Years, R/o Nanhunagar, Kirodimalnagar, Police Station Kotra Road Raigarh, District (Revenue And Civil) Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
2. Banwari Varman S/o Bhuwanlal Varman, Aged About 33 Years, R/o Near Station Kirodimalnagar, Raigarh, Tahsil And District (Revenue And Civil) Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Kotra Road Raigarh, District (Revenue And Civil) Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sumit Jhawar, Advocate.

For Non-applicant/State – Shri Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-02-2018

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 13-01-2018 in connection with Crime No.10/2018 registered at P.S. Kotra Road Raigarh, District Raigarh, Chhattisgarh for the offence under Section 34(2), 59(क) of the 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 13-01-2018. 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 7.200 bulk liter illicit 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 the trial would not serve any purpose. Hence, for these reasons the application deserves to be allowed.

6. Consequently, this application filed by the applicants 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