

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2222 of 2018

1. Ashok Kaushik S/o Hirawan Kaushik, Aged About 27 Years, R/o Village-Bazar Charbhatha, Police Station And Tahsil Kawardha, District Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh
2. Meghraj Kaushik S/o Mehatar Kaushik, Aged About 30 Years, R/o Village- Bazar Charbhatha, Police Station And Tahsil Kawardha, District Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kawardha, District- Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

For Applicants – Shri Ajay Kumar Pandey, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-04-2018

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 05-02-2018 in connection with Crime No.106/2018 registered at P.S. Kawardha, District Kabirdham, 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 05-02-2018. Hence, they may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 10.620 bulk liter illicit liquor has been seized from the possession of the applicant No.1 and one motorcycle bearing registration No. C.G. 09-H/1421, which was being used for transportation of the said liquor, has been seized from applicant No.2. 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