

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2324 of 2018**

1. Anuj Kumar Bagri, S/o. Rajkumar Bagri, Aged About 35 Years, R/o. Imlai, P. S. Dhimarkheda, Dist. Katni (M.P.).
2. Ajay Kumar Sahu, S/o. Bhajoram Sahu, Aged About 24 Years, R/o. Village Hardadih, P. S. Seepat, Dist. Bilaspur Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through : The Police Station -Chakarbhata Bilaspur,
District Bilaspur Chhattisgarh.

---- Respondent

For Applicants : Mr. Anumeh Shrivastava, Advocate
For Respondent : Mr. Aaditya Sharma, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****02/04/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 59/2018, registered at Police Station- Chakarbhata, Bilaspur District – Bilaspur (C.G.) for the offence punishable under Section 34(2) and 59(A) of the Chhattisgarh Excise Act and Section 4 and 7 of Cigarette and other Tobacco Product Act, 2003..
2. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 45 bulk liters and they were arrested on 20.03.2018.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 20.03.2018; therefore, they may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicants have no previous antecedents of similar offence.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 45 liters; offence is triable by the JMFC and the applicants are in jail since 20.03.2018, this Court is inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a 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.

Certified as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge