

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2716 of 2018**

1. Abhishek @ Ashish Chandrakar S/o Horilal Chandrakar Aged About 25 Years R/o Jamgaon, Police Station Ranitarai, Tahsil Patan Distt. Durg Chhattisgarh, District : Durg, Chhattisgarh
2. Praveen @ Rakesh Chandrakar S/o Arjun Chandrakar Aged About 19 Years R/o Jamgaon, Police Station Ranitarai, Tahsil Patan Distt. Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Ratanpur, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Dharmesh Shrivastava, Advocate.
For the Respondent/State	:	Shri Anant Bajpai, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****30.04.2018**

1. The applicant's first bail application is dismissed as withdraw with liberty to file second bail application.
2. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who have been arrested in connection with Crime No.372/2017, registered at Police Station –Ratanpur, District – Bilaspur (C.G), for the offences under Section 34 (1) (a), 34 (2) of the C. G. Excise Act and Sections 420, 457 of the Indian Penal Code.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and they are in jail since 07.12.2017. No case is made out against them and the trial is pending before the trial Court. The applicants are ready to abide by all the conditions which may be imposed while granting bail to them, hence, it is prayed that they may be released on bail.
4. Learned counsel for the State opposes the bail application and submits that seizure of illicit liquor is of huge quantity and the vehicle in which the illicit liquor was being transported was having forged registration number, for this reason, the applicants are not entitled for grant of bail.
5. Heard counsel for both the parties and perused the case diary.
6. On the date of incident the vehicle in which 180 bulk litres illicit liquor was being transported and that was seized from the joint possession of the present applicants. During investigation it is found that the said vehicle was having forged registration number, Hence, this case.
7. Considered on the submission and contents of the case diary, the applicants are in detention since quite some time, after filing of the charge-sheet no purpose would be served, if the, applicants are kept in detention, till the completion of the trial, hence, this Court is of the opinion that this is a fit case, where the applicants are entitled for grant of bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a 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