

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 3249 of 2018**

1. Ramhit Jaiswar, S/o. Ram Sundar Jaiswar, Aged About 42 Years, R/o- Shastri Nagar, Camp 1, Bhilai, District- Durg, Chhattisgarh.
2. Sanjay Verma, S/o. Dadan Verma, Aged About 25 Years, R/o- Ram Nagar, Mukti Dham, Supela, Bhilai, District- Durg, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through- Station House Officer, Police Station Salhewara, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants : Mr. Sumit Shrivastava, Advocate
 For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****15/05/2018**

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.4/2018, registered at Police Station- Salhewara, District – Rajnandgaon (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per the prosecution case on the date of incident, the police personnel of police Station – Salhewara made a seizure from one abandoned vehicle bearing registration NO.C.G.-07-2159 and 25 cartons of foreign liquor amounting to 222 bulk liters was seized from

the spot. Later on arrest of the applicants have been made in his case and their statement has been recorded.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 17.01.2018. It is further submitted that similarly placed co-accused has been granted bail by this Court; therefore, the applicants may also 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 similarly placed co-accused namely Guruvesh @ Raju Temre has been enlarged on bail by this Court in M.Cr.C. No.2649/2018 vide order dated 23.04.2018 and the applicants are in jail since 17.01.2018, hence for this reason, 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