

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3889 of 2018**

1. Dhursingh Nishad S/o Khelkumar Nishad, Aged About 23 Years, R/o Village Mohan Police Station Palari, District- (Revenue And Civil) Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Harishankar Nishad S/o Tirithram Nishad, Aged About 18 Years, R/o Village Mohan Police Station Palari, District- (Revenue And Civil) Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
3. Hemlal Nishad S/o Khilawan Nishad, Aged About 23 Years, R/o Village Mohan Police Station Palari, District- (Revenue And Civil) Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through Police Chowki Gidhpuri, Police Station- Palari, District- (Revenue And Civil) Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

**----Non-applicant**

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For Applicants – Shri Sumit Jhawar, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**25-06-2018**

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 14-05-2018 in connection with Crime No.247/2018 registered at P.S. - Palari, Police Chowki – Gidhpuri, District- (Revenue and Civil) Balodabazar-Bhatapara, Chhattisgarh for the offence under Section 34(2) of 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 14-05-2018. Hence, it is prayed that the applicants may be released on regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 6.700 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 on 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, I am of the view that 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 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**