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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3955 of 2018

1. Santlal Khamhari S/o Shri Karuna Khamhari, Aged About 45 Years, Caste Kolta, R/o Village- Khairjhitki, Chouki Balouda, P.S. Saraipali, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh
2. Gautam Khamhari S/o Shri Indrajeet Khamhari, Aged About 40 Years, Caste Kolta, R/o Village- Khairjhitki, Chouki Balouda, P.S. Saraipali, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh
3. Bhuvneshwar Khamhari, S/o Shri Indrajeet Khamhari, Aged About 38 Years, Caste Kolta, R/o Village- Khairjhitki, Chouki Balouda, P.S. Saraipali, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh
4. Kartik S/o Shri Pustam Yadav, Aged About 39 Years, Caste Rawat, R/o Village- Belmundi, Chouki- Balouda, P.S. Saraipali, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh
5. Abhi S/o Shri Sona, Aged About 45 Years, Caste Kodaku, R/o Village Belmundi, Chouki Balouda, P. S. Saraipali, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Saraipali, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

----Non-applicant

For Applicants – Shri H.S. Patel, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

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 20-05-2018 in connection with Crime No.149/2018 registered at P.S. - Saraipali, District- Mahasamund, Chhattisgarh for the offence under Section 34(2) of 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 20-05-2018. 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 40 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