

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4455 of 2018**

Jitendra Kumar Sandey S/o Bhagirathi Sandey Aged About 28 Years R/o-
Arjuni Police Station And Tehsil Akaltara, District- Janjgir-Champa,
Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station
Akaltara, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa,
Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 4610 Of 2018**

Narendra Yadav S/o Late Jageshwar Yadav Aged About 32 Years R/o Kotmi
Sonar, P. S. Akaltara, District Janjgir Champa Chhattisgarh, District : Janjgir-
Champa, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Station House Officer, Excise Circle
Akaltara, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa,
Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Sumit Singh and Shri Amit Kumar, Advocates.
For the Respondent/State	:	Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****09.07.2018**

- Both these applications are being decided by a common order as they arise from the similar matter. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.7 of 2018, registered at Police Station Akaltara,

District – Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 34(1)(a), 34(2) and 59(a) of the Excise Act.

2. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 179.28 bulk liters and they were arrested on 25.5.2018.

3. Learned counsel for the applicants submit that the applicants are in jail since 25.5.2018 and the applicants have been falsely implicated in these cases; therefore, they may be released on bail.

4. On the other hand, learned counsel for the State 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 179.28 bulk liters; offence is triable by the JMFC and the applicants are in jail since 25.5.2018, this Court is inclined to release the applicants on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. are allowed.

7. It is directed that the applicants in both the cases 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 trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi