

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4815 of 2018

1. Santosh Suryawanshi S/o Shri Manrakhan Suryawanshi, Aged About 41 Years, R/o Chakhiyar Gali, Bazarpara, Janjgir, Police Station Janjgir, Civil And Revenue District Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
2. Vinod Datta S/o Shri Devkumar Datta, Aged About 40 Years, R/o Chakhiyar Gali, Bazarpara, Janjgir, Police Station Janjgir, Civil And Revenue District Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Chawki Naila, Police Station Janjgir (Wrongly Mentioned Through The District Magistrate Janjgir), Civil And Revenue District Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

----Non-applicant

For Applicants – Shri Paras Mani Shriwas, Advocate.

For Non-applicant/State – Shri N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-07-2018

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 23-06-2018 in connection with Crime No.367/2018 registered at P.S. - Janjgir, District Janjgir-Champa, 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 jail since 23-06-2018. 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 5.400 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 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