

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4910 of 2018

1. Mohitram Sahu, S/o. Milan Sahu, Aged About 25 Years, Caste Teli, R/o. Village Khaprikhurd, Tehsil And District Rajnandgaon Chhattisgarh.
2. Nagesh Purram, S/o. Sukhnandan Purram, Aged About 25 Years, Caste Gond, R/o. Village Mohala, Tehsil Mohala District Rajnandgaon Chhattisgarh.
3. Virendra Gandharv, S/o. Jagannath Gandharv, Aged About 20 Years, Caste Gada, R/o Village Sirsahi, Tehsil Khairagarh, District Rajnandgaon Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : The Out Post Chichola Police Station Churiya, Rajnandgaon District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Chakresh Tiwari, Advocate
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

23/07/2018

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. 89/2018, registered at Police Station- Churiya, District – Rajnandgaon (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case. The applicants were simply transporting the goods at the instruction of the vehicle owner being his employee. The applicants are in jail since 29.06.2018. No offence is made out against the applicants. Therefore, the applicants may be

enlarged on bail.

3. Learned State counsel opposes the prayer for grant of bail submitting that huge quantity of illicit liquor has been recovered from the possession of these applicants. Hence, they are not entitled to be released on bail.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. On search made by the police personnel of Police Station – Chhuriya, in 32 cartoons 1600 quarters of foreign liquor total 288 bulk liters was recovered and seized jointly from the possession of these applicants while the same are being transported in the vehicle.
6. Considered the submissions made and the contents of the case diary. Considering on all the facts and circumstances of the case, the applicants are local residents of District Rajnandgaon, hence, their availability before the trial Court can be ensured, hence for these reason, this Court is inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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 copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
 Judge