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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4952 of 2018**

1. Rakesh Sahu S/o Bhaktu Ram Sahu, Aged About 32 Years R/o Village Sargaon, Itwari Bazar, Police Station Kharora, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Pramod Verma S/o Maganlal Verma, Aged About 36 Years R/o Village Sargaon, Near Bazar Chowk, Police Station Kharora, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through Station House Officer, P. S. Vidhan Sabha Raipur, Civil And Revenue District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicants : Shri Dashrath Kushwaha, Advocate.
 For the Respondent/State : Shri Neeraj Mehta, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****23.07.2018**

1. This is the first bail application 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.224 of 2018, registered at Police Station Vidhan Sabha Raipur, District – Raipur, Chhattisgarh for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 5.220 bulk liters and they were arrested on 17.6.2018.

3. Learned counsel for the applicants submits that the applicants are in jail since 17.6.2018 and the applicants have been falsely implicated in this

case; 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 5.220 bulk liters; offence is triable by the JMFC and the applicants are in jail since 17.6.2018, this Court is inclined to release the applicants on bail.

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

7. 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 trial Court, for their appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge