

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5688 of 2018

- Ishwar Diwakar S/o Shri Ranjit Diwakar Aged About 19 Years R/o- Village Sakri, Police Station Vidhan Sabha, Raipur, Tahsil And District- Raipur, Chhattisgarh.
- Sendh Kumar Koshley S/o Shri Vipat Koshley Aged About 20 Years R/o- Village Sakri, Police Station Vidhan Sabha, Raipur, Tahsil And District- Raipur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Vidhan Sabha, Raipur, Tahsil And District- Raipur, Chhattisgarh.

---- Respondent

For Applicants	: Shri Sunil Verma, Advocate.
For Respondent/State	: Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

21/08/2018

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime no. 236/2018, registered at Police Station Vidhan Sabha District Raipur (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on the basis of information received from the informant on 01.07.2018, Police authority searched the applicants in which 5.400 bulk litres of country made liquor was found from the possession of the present applicants and they have been arrested on 01.07.2018.
3. Shri Sunil Verma, learned counsel appearing on behalf of the Applicants submits that applicants are innocent and they have been falsely implicated in the present case. He further submits that the

applicants are in custody since 01-07-2018 and trial will likely to take some time, therefore, applicants may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicants are in custody since 01-07-2018 and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- each with one surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge