

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5568 of 2018

1. Monika Prasad Sonkar, S/o Gopal Prasad Sonkar, age about 28 years,
2. Jageshwar Sahu, S/o Amru Sahu, age about 23 years,

Both are Resident of Village Kusmund, Thana and Tahsil – Arang, District – Raipur, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through- Station House Officer, Police Station - Tumgaon, District - Mahasamund, Chhattisgarh.

---- Respondent

For Applicants	: Shri Vikash Pradhan, Advocate.
For Respondent/State	: Shri Vaibhav Goverdhan, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

28/08/2018

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. 124/2018, registered at Police Station Tumgaon, District – Mahasamund (C.G.) for the offence punishable under Section 34(2) of the Excise Act.
2. As per the prosecution story, on the basis of information received from the informant on 26.07.2018, Police parties searched the vehicle bearing registration No. CG 04 LM 1510 and seized 12.600 bulk litres of country made liquor from the possession of both the applicants which they are transporting from one place to another. The applicants were arrested on 26.07.2018.
3. Shri Vikash Pradhan, 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 seized liquor was only 12.600 litres and there is no previous criminal antecedent of the applicants. He further submits that the applicants are in custody since 26-07-2018 and trial will likely to take some more time, therefore, they 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 and perused the case diary.
6. Considering the facts and circumstances of the case and further considering the fact that the applicants are in custody since 26-07-2018 charge sheet has not been filed yet, therefore, trial will likely to take some time, without further commenting on merit of the case, I am inclined to release them 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/- to 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