

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5648 of 2018**

Madhusudan S/o Shri Surpati Rai, aged about 28 years, R/o Bhagvanpur, P.S. Gandhinagar, Tehsil Ambikapur, Distt. Sarguja (C.G.).

**--- Applicant**

**Versus**

State of Chhattisgarh, Through the Police Station Gandhinagar, Distt. Sarguja (C.G.)

**---- Respondent**

**AND**

**MCRC No. 5911 of 2018**

Kishor Ghosh S/o Late Murlidhar Ghosh, aged about 42, R/o village-Fundurdihari, Police Station Gandhi Nagar, Tahsil- Ambikapur, Distt. Ambikapur (C.G.).

**--- Applicant**

**Versus**

State of Chhattisgarh, Through the Police Station Gandhinagar, Distt. Sarguja (C.G.)

**---- Respondent**

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| For Applicant (in MCRC 5648/2018) : | Mr. Tanuj Patwardhan, Advocate  |
| For Applicant (in MCRC 5911/2018) : | Mrs. Indira Tripathi, Advocate  |
| For Respondent :                    | Mr. Anil Pandey, Govt. Advocate |

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**Hon'ble Shri Justice Arvind Singh Chandel**

**Order on Board**

**21/08/2018**

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these bail applications under Section

439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 174/2018 registered at Police Station- Gandhinagar, Distt. Sarguja (C.G.) for the offence punishable under Sections 34 (2) of the Chhattisgarh Excise Act.

3. As per prosecution story on 18/07/2018, the police party conducted a raid and total 21.06 bulk liters of foreign liquor was seized from the joint possession of both the applicants. The applicants were arrested 18/07/2018.
4. Counsel for the applicants submit that both the applicants are innocent and have been falsely implicated in the present case. The applicants are in jail since 18/07/2018, charge-sheet has already been filed and the trial will likely to take some time to conclude, therefore, the applicants may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, particularly considering that the applicants are in custody since 18/07/2018, charge-sheet has been filed and the trial will likely to take some time to conclude, without further commenting on merit of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs.20000/- with one local

solvent surety in the like sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-

**Judge**  
**Arvind Singh Chandel**

Rahul