

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5775 of 2018

- Umesh @ Kabadi S/o Sadaram Aged About 19 Years R/o- Village- Diggi, Police Station- Suhela, District (Revenue And Civil)- Balodabazar-Bhatapara, Chhattisgarh.
- Rajendra Chelak S/o Sudharam Chelak Aged About 22 Years R/o- Village- Khilora, Police Station- Bhatapara (Gramin), District (Revenue And Civil)- Balodabazar-Bhatapara, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through- Police Station- Suhela, District (Revenue And Civil)- Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	: Shri Sumit Jhawar, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

05/09/2018

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. 143/2018, registered at Police Station Suhela, Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act and 408 of the IPC.
2. As per the prosecution story, on 25.07.2018, on the basis of information received from the informant, Police authority searched applicant No. 1 Umesh @ Kabadi and total 13.500 bulk litres of country made liquor was seized from the possession of applicant No. 1, allegedly the liquor was purchased by applicant no. 2 Rajendra Chelak who was at the relevant time working in Hirmi Liquor Shop and they were arrested.

3. Shri Sumit Jhavar, 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 applicant No. 1 is in custody since 25-07-2018 & applicant No. 2 is in custody since 26-07-2018 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 25-07-2018 & 26-07-2018 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. 20,000/- 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