

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6038 of 2018**

1. Niranjana Verma, S/o Late Yaduram Verma, Aged About 30 Years, R/o- Village- Dhuma, Thana- Rajim, District- Gariyaband, Chhattisgarh,
2. Balram Sahu, S/o Budhram Sahu, Aged About 28 Years, R/o- Village- Sursabandha, Thana- Rajim, District- Gariyaband, Chhattisgarh

---- Applicants**Versus**

State of Chhattisgarh Through- Police Station- Rajim, District- Gariyaband, Chhattisgarh

---- Respondent

For Applicants	: Shri Krishna Kumar Dewangan, Advocate.
For Respondent/State	: Shri Bhaskar Pyashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

04/09/2018

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. 218/2018, registered at Police Station Rajim, District – Gariyaband (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. As per the prosecution story, on the basis of information received from the informant on 25.07.2018, Police parties searched the motor Cycle in which both the applicants were traveling and seized total 5.580 bulk litres of country made liquor from the joint possession of both the applicants. The applicants were arrested on 26.07.2018.
3. Shri K.K. Dewangan, 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 5.580 bulk litres and there is no 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, further considering the quantity of seized liquor, detention period of the applicants and 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 more 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