

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6061 of 2018**

1. Lileshwar Kumar Sahu, S/o Shri Khemuram, Aged About 29 Years, By Caste Teli, R/o Kohka Bajrangpara, Ward No. 08 Supela Bhilai, Thana Bhilai, Civil and Revenue District : Durg, Chhattisgarh
2. Selendra Kumar, S/o Shri Panchuram Nishad, Aged About 33 Years, R/o House 104 Ward No 08 Limha Talab Jagriti Bhawan, Shikshak Nagar Kohka, Supela Bhilai, Thana Bhilai, Civil And Revenue, District : Durg, Chhattisgarh

---- Applicants**Versus**

The State of Chhattisgarh, Through The Station House Officer, Police Station Chilfi, District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For Applicants	: Shri Sunil Sahu, Advocate.
For Respondent/State	: Shri Vaibhav A. Goverdhan, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**17/09/2018**

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. 18/2018, registered at Police Station Chilfi, District – Kabeerdham (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act and Section 279 of the IPC.
2. As per the prosecution story on 02.08.2018, during patrolling the vehicle bearing registration No. CG-08-W-6318 has been searched by the Police parties and allegedly they were seized total 90 bulk litres of Goa Whisky from the possession of Applicant No.1 and 45 bulk litres of Goa Whisky from the possession of applicant No.2. The applicants were arrested on 02.08.2018.

3. Shri Sunil Sahu, 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 there is no criminal antecedent of the applicants. He further submits that the applicants are in custody since 02.08.2018 and trial will 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 02.08.2018 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