

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6350 of 2018

- Sushil Kumar S/o. Sunder Chandravanshi Aged About 35 Years R/o. Village- Charbhatha Khurd, Police Station Pandatarai, Tahsil Pandariya, District Kabirdham Chhattisgarh.
- Prakash Chandravanshi S/o Lakhon Chandravanshi Aged About 40 Years R/o. Village- Charbhatha Khurd, Police Station Pandatarai, Tahsil Pandariya, District Kabirdham Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through-Station House Officer, Police Station Pandatarai, District- Kabirdham Chhattisgarh.

---- Respondent

For Applicants	: Shri Vikas Shrivastava, Advocate.
For Respondent/State	: Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/09/2018

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. 112/2018, registered at Police Station Pandatarai, District Kabirdham (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 16.08.2018, on the basis of information received from an informant, police personnels searched motorcycle bearing registration No. G-09 JC-6375 in which 7.200 bulk litres of country made liquor has been seized from the joint possession of the present applicants and they have been arrested on 16-08-2018.
3. Shri Vikash Shrivastava, learned counsel appearing on behalf of the Applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants

have no criminal antecedent, they are in custody since 16-08-2018 and trial will take some time. Therefore, they may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicants have no criminal antecedent, they are in custody since 16-08-2018 and trial is likely to take some time, without further commenting on merits 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. 20,000/- each with one solvent 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