

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6362 of 2018

- Smt. Kavita Dinkar W/o Dinesh Kumar Dinkar Aged About 43 Years, R/o Qr.No.400, Gali No.1, Behind Durga Petrol Pump, New Gondwara, Police Station Khamtarai, District Raipur, Chhattisgarh.
- Ravi Kumar Dinkar S/o Dinesh Kumar Dinkar Aged About 24 Years R/o Qr.No.400, Gali No.1, Behind Durga Petrol Pump, New Gondwara, Police Station Khamtarai, District Raipur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Khamtarai , District Raipur, Chhattisgarh.

---- Respondent

For Applicants	: Ms. Sunita Sahu, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

11/09/2018

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. 433/2018, registered at Police Station Khamtarai, District Raipur (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 the applicants and total 5.400 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. Ms. Sunita Sahu, learned counsel appearing on behalf of the Applicants submits that the applicants are innocent and have been falsely implicated in the case. She 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