

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6547 of 2018

1. Ritesh @ Guddu Sahu S/o. Goverdhan Sahu, aged about 34 years, R/o Near Karma School, Ramsagar para, Thana Aazad Chauk, Raipur, Distt./Tahsil, Raipur (C.G.).
2. Omprakash Netam S/o Ramlal Netam, aged about 28 years, R/o Near Hatkeshwar Mahadev Temple, Dhamtari, Distt. - Dhamtari (C.G.).

At present R/o Near Shani Dev Temple, Ramsagar Para, Thana- Aazad Chauk, Raipur, Distt./Tahsil-Raipur (C.G.).

--- Applicants

Versus

State of Chhattisgarh, Through- Police Station- Ganj, District- Raipur (C.G.).

---- Respondent

For Applicants	:	Mr. Sameer Singh, Advocate
For Respondent	:	Mr. Vaibhav Goverdhan, PL

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 the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 209/2018 registered at Police Station- Ganj, Distt. Raipur (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per prosecution story, on 11/08/2018 on the basis of information received from the informant, the police party searched and seized 6.120 bulk liters of country made liquor from the possession of applicant No. 1 and 7.200 bulk liters of country made liquor from the possession of applicant No.2. The applicants were arrested on 11/08/2018.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated. They are in custody since 11/08/2018 and they have no known criminal antecedent of similar nature, 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 both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the applicants are in custody since 11/08/2018 and they have no known criminal antecedent of similar nature, 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 each of them executing personal bond for a sum of Rs. 20,000/- with one surety in the like sum to the satisfaction of the trial Court for their appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge