

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6896 of 2018

- Saurabh Sharma S/o Jhamman Tiwari Aged About 21 Years R/o Village Kankalin Para Simga, Thana Simga, Teshil Simga, District Baloda Bazar Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Simga, District Baloda Bazar Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

AND

MCRC No. 7242 of 2018

- Akku Ravate Alias Arvind Ravate S/o Manharan Lal Ravate Aged About 19 Years R/o Kankalin Para, Simga, Police Station- Simga, District- Baloda Bazar- Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Simga, District- Balodabazaar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicant (in MCRC 6896/2018) : Ms. Supriya Upasane, Advocate
For Applicants (in MCRC 7242/2018): Ms. Supriya Upasane, Advocate
For Respondent/State : Mr. Bhaskar Payashi, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel
Order on Board

05/10/2018

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.

2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 279/2018 registered at Police Station-Simga, Distt. Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34 (2) of the Excise Act.
3. As per prosecution story, on 31.08.2018, on the basis of information received from an informant, police party conducted raid and 7.2 litres of country made liquor has been seized from the possession of applicant Saurabh Sharma (M.Cr.C No. 6896/2018) and 1.2 litres of country made liquor has been seized from the possession of applicant Akku Ravate @ Arvind Ravate (M.Cr.C. No. 7242/2018), they have been arrested on 31.08.2018.
4. Counsel for the applicants submit that both the applicants are innocent and have been falsely implicated in the present case. She further submits that the applicants have no criminal antecedents, they are in custody since 31/08/2018 and trial will take some time to conclude, therefore, the applicants may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, particularly considering the fact that the applicants have no criminal antecedents, they are in custody since 31/08/2018 and trial will likely to take some time to conclude, without further commenting on merits of the case, I am inclined to release them on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent 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