

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6934 of 2018**

1. Asha Ram Muleti S/o Mangal Ram Aged About 27 Years R/o Jhitiya Police Station And Tahsil Ambagarh Chowki, District Rajnandgaon Chhattisgarh
2. Jitu Ram Vishwakarma S/o Dev Sahay Aged About 49 Years (wrongly mentioned 29 years) R/o Bakhtawar Chal, Gali No. 09, Tulsipur, Rajnandgaon District Rajnandgaon Chhattisgarh

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer, Excise Circle, Rajnandgaon District Rajnandgaon Chhattisgarh,

---- Respondent

For Applicants	:	Shri Sumit Shrivastava, Advocate
For Respondent/State	:	Shri DR Minj, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****11/10/2018**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 15.08.2018 in connection with Crime No.111/2018 registered at Excise Circle Rajnandgaon (CG), Civil and Revenue District Rajnandgaon (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per the prosecution case, on 15.08.2018 on a raid being conducted and when the vehicle bearing registration No.C.G.07- L.U.-0011 was intercepted from the vehicle 135 Bulk Liter foreign liquor was seized. Thereby the offence

has been committed.

3. Learned counsel for the applicants submits that applicant No.1 Asha Ram Muleti is suffering from HIV positive and both the applicants are in jail since 15.08.2018 and the charge-sheet has not filed till date, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts & circumstance and also taking into that the applicants are in jail since 15.08.2018, I am inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu