

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6995 of 2018

1. Lakhu Banjare, S/o Ramsingh Banjare, aged about 23 years,
2. Kamal Kurre, S/o Jainarayan Kurre, aged about 23 years,
3. Nandlal Jangde, S/o Ashok Jangde, aged about 19 years,
All R/o Sudheli, Police Station- City Kotwali, Baloda Bazar, District-
Balodabazar- Bhatapara (C.G.).

--- Applicants

Versus

State of Chhattisgarh, Through- Police Station City Kotwali, Balodabazar,
District- Baloda Bazar, Bhatapara (C.G.).

---- Respondent

AND

MCRC No. 7224 of 2018

1. Maniram Bhardwaj, S/o Faguram Bhardwaj, aged about 26 years,
2. Deepak Bhardwaj S/o Faguram Bhardwaj, aged about 22 years,
3. Maniram Bhardwaj S/o Pawan Kumar, aged about 20 years,
All R/o Village- Sudeli, Police Station- Balodabazar, District (Revenue &
Civil)- Balodabazar- Bhatapara (C.G.).
4. Tikeshwar Dhratlahre, S/o Mahetru Dhratlahre, aged about 22 years R/o
Village- Dhangaon, Police Station- Balodabazar, Bhatapara (C.G.).

--- Applicants

Versus

State of Chhattisgarh, Through- Police Station City Kotwali, Balodabazar,
District- (Revenue & Civil) Baloda Bazar, Bhatapara (C.G.).

---- Respondent

AND

MCRC No. 7226 of 2018

Ghanshyam Sahu, S/o Ishwar Sahu, aged about 40 years, R/o Village- Lahod,
PS- Kasdol, District- Balodabazar- Bhatapara (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through- Police Station City Kotwali, Balodabazar,
District- Baloda Bazar, Bhatapara (C.G.).

---- Respondent

For Applicant (In MCRC No. 6995/2018):	Ms. Supriya Upasane, Advocate
For Applicant (In MCRC No. 7224/2018):	Mr. Sumit Jhanwar, Advocate
For Applicant (In MCRC No. 7226/2018):	Mr. Shobhit Koshta, Advocate
For Respondent	: Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

10/10/2018

1. Since, all the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred First bail applications under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 540/2018 registered at Police Station- City Kotwali, Balodabazaar- Bhatapara (C.G.) for the offence punishable under Section 34 (2) of the Excise Act.
3. As per prosecution story, on 05/09/2018 on the basis of information received from the informant, the police party raided and searched the house of co-accused Kaushalya and Shalik and seized 100-100 bulk liters of country made liquor from their possession. It is alleged that all the applicants were also involved in the said offence. Applicant- Ghanshyam has been arrested on 08/09/2018. Applicants- Lakhu, Kamal and Nandlal have been arrested on 05/09/2018. Applicants- Maniram, Deepak, Maniram S/o Pawan and Tikeswar have been arrested on 08/09/2018.
4. Learned counsel appearing on behalf of the applicants submit that the applicants are innocent and have been falsely implicated in the present case. They further submit that nothing has been seized from the possession of the present applicants. Applicant- Ghanshyam has

been arrested on 08/09/2018. Applicants- Lakhu, Kamal and Nandlal have been arrested on 05/09/2018. Applicants- Maniram, Deepak, Maniram S/o Pawan and Tikeswar have been arrested on 08/09/2018. Therefore, the applicants may be released on bail.

5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. Considering the entire facts and circumstances of the case, particularly considering that nothing has been seized from the possession of the present applicants. Applicant- Ghanshyam has been arrested on 08/09/2018. Applicants- Lakhu, Kamal and Nandlal have been arrested on 05/09/2018. Applicants- Maniram, Deepak, Maniram S/o Pawan and Tikeswar have been arrested on 08/09/2018 and the trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail applications are 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