

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7277 of 2018

1. Rupesh Nagarchi S/o Jhadiram Aged About 25 Years R/o Village - Nari, Thana Kurud, District - Dhamtari, Chhattisgarh.
2. Pritam Yadav S/o Rikhiram Yadav Aged About 21 Years R/o Village - Nari, Thana Kurud, District - Dhamtari, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station - Rajim, District - Gariyaband, Chhattisgarh.

---- Respondent

For Applicants	: Shri Suresh Tandan, Advocate.
For Respondent/State	: Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

08/10/2018

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. 257/2018, registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 13.09.2018, on the basis of information received from an informant, police personnels searched the vehicle bearing registration no. C.G. 04 HU 1559, which was driven by applicant No. 2, applicant No. 1 was seated on the said motor cycle, on being searched total 5.760 bulk liters of country-made liquor has been found and seized from their possession and they have been arrested on 13-09-2018.
3. Learned counsel appearing on behalf of the Applicants submits that the applicants are innocent and have been falsely implicated in the

case. He further submits that the applicants have no criminal antecedents, they are in custody since 13-09-2018 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, further considering the fact that the applicants have no criminal antecedents, they are in custody since 13-09-2018 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 each of them executing a personal bond for a sum of Rs. 20,000/- 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