

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7320 of 2018

1. Malik Ram Chouhan S/o Jailal Chouhan Aged About 34 Years R/o Village- Katangjori, Police Station And Tahsil- Baramkela, District- Raigarh, Chhattisgarh.
2. Jeet Ram Chouhan S/o Puran Chouhan Aged About 19 Years R/o Village- Katangjori, Police Station And Tahsil- Baramkela, District- Raigarh, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Baramkela, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicants	: Shri Ajeet Kumar Yadav, Advocate.
For Respondent/State	: Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

09/10/2018

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. 158/2018, registered at Police Station Baramkela, District Durg (C.G.) for the offence punishable under Section 34(1)(a)(2), 59-a of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 10.08.2018, during patrolling on the basis of information received from an informant, police personnels searched the applicants and total 8.640 bulk litres of country-made liquor has been seized from the possession of applicant No. 2, allegedly applicant no. 1 was seated with applicant no. 2 on the motor cycle bearing registration no. CG 13 UF 5717. On the basis of above, offence has been registered and the applicants are in custody since 12-08-2018.

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 12-08-2018 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 and further considering the fact that the applicants have no criminal antecedents, they are in custody since 12-08-2018 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