

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7590 of 2018

- Anirudh Badai S/o Dayalal Badai Aged About 28 Years R/o - Village Kashipali, Police Station - Bhathli, District - Bargarh, Orissa.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Dongaripali, District - Raigarh, Chhattisgarh.

---- Respondent

AND

MCRC No. 7736 of 2018

- Doctor Sahu S/o Japa Sahu Aged About 36 Years R/o Village Kashipali Police Station Bhathli District Bargarh Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Dongaripali District Raigarh Chhattisgarh.

---- Respondent

AND

MCRC No. 7986 of 2018

- Jagdesh Mahapatro S/o Bhujo Mahapatro Aged About 43 Years R/o Village Kashipali Police Station Bhathli District -Bargarh Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station -Dongaripali District Raigarh Chhattisgarh.

---- Respondent

For Applicant (in MCRC 7592/2018) : Mr. VK Pandey, Advocate
For Applicant (in MCRC 7736/2018) : Mr. VK Pandey, Advocate
For Applicant (in MCRC 7986/2018) : Mr. VK Pandey, Advocate

For Respondent/State

: Mr. Bhaskar Payashi, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

29/10/2018

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 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. 58/2018 registered at Police Station- Dongaripali, Distt. Raigarh (C.G.) for the offence punishable under Sections 34 (2) & 59 (A) of the Chhattisgarh Excise Act.
3. As per prosecution story, on 23-09-2018 on the basis of information received from an informant, police personnels searched the applicants and 60 litres, 60 litres & 72 litres total 192 bulk litres of country made liquor has been seized from the possession of applicant Aniruddh Badai (MCRC No. 7590/2018), applicant Doctor Sahu (MCRC No. 7736) and Applicant Jagdesh (MCRC No. 7986/2018) and they have been arrested on 23.09.2018.
4. Learned Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that the applicants have no criminal antecedents, they are in custody since 23/09/2018 and trial will likely to take some time to conclude, therefore, they 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, the evidence collected by the prosecution and further considering the fact that the applicants have no criminal antecedents, they are in custody since 23.09.2018 and trial will likely to take some time to conclude, without further commenting on merits of the case, I am inclined to release the applicants 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 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**