

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7978 of 2017

1. Yugal Kishore S/o Shri Johanlal Sahu, Aged About 36 Years, R/o Village Pawni, Thana Bilaigarh, District Balodabajar Bhatapara Chhattisgarh , Chhattisgarh
2. Horilal S/o Shri Tiharu Sahu, Aged About 64 Years, R/o Village Pawni, Thana Bilaigarh, District Balodabajar Bhatapara Chhattisgarh , District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicants

Versus

- The State Of Chhattisgarh Through The Station House Officer Police Station Bilaigarh District Balodabajar Bhatapara Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicants – Shri Sunil Sahu, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicants for grant of regular bail. The applicants have been arrested on 28-11-2017 in connection with Crime No.412/2017 registered at P.S. Bilaigarh District Balodabajar Bhatapara Chhattisgarh for the offence under Section 34(2) of the C.G. Excise Act and Section 420 of the IPC.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in custody since 28-11-2017. Hence, they may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 5.400 bulk liter illicit country liquor has been seized from the possession of the applicants. Hence, they are not entitled for grant of bail.
4. Heard learned counsel for both the parties and perused the case diary.

5. Considering the submissions made and the contents of the case diary, detention of the applicants till completion of investigation and trial would not serve any purpose. Hence, for these reasons the application deserves to be allowed.

6. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge