

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7880 of 2017**

1. Devcharan Yadav S/o Chhotku Yadav Aged About 30 Years R/o Damru Police Station Balodabazar, District Balodabazar Bhatapara Chhattisgarh.
2. Nanu Yadav S/o Late Badku Yadav Aged About 30 Years R/o Damru Police Station Balodabazar, District Balodabazar Bhatapara Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through Station House Officer , Police Station Pachpedi, District Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicants – Ms. Meenu Banerjee, Advocate.

For Non-applicant/State – Shri V.B. Singh, 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 22-11-2017 in connection with Crime No.215/2017 registered at P.S. Pachpedi, District – Bilaspur, Chhattisgarh for the offence under Section 34(2), 36, 59(A) of the C.G. Excise Act.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in custody since 22-11-2017. 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 14.040 bulk liter illicit country made 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, the 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 their 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