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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7931 of 2017

1. Hemlal Sahu S/o Shri Nakul Ram Sahu, Aged About 49 Years, R/o Village Kurud Photela Raipur, P/ S Arang District Raipur Civil And Revenue District Raipur Chhattisgarh, Chhattisgarh
2. Krishna Kumar Sahu S/o Shri Derharam Sahu, Aged About 49 Years, R/o Village Kurud Photela Raipur, P/ S Arang District Raipur Civil And Revenue District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Arang District Raipur Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicants – Mr. Ajay Mishra, Advocate.

For Non-applicant/State –Ms. Smita Ghai, 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 16-11-2017 in connection with Crime No.522/2017 registered at P.S. Arang District Raipur, Chhattisgarh for the offence under Section 34(2) 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 16-11-2017. 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 5.220 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,

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