

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8132 of 2017

- Salit Pradhan S/o Shri Rupchand Pradhan, Aged About 41 Years, By Caste Kolta, R/o Village Thakurpali, P. S. Basna, Civil And Revenue Distt. Mahasamund Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Excise Circle Basna Distt. Mahasamund Chhattisgarh, Chhattisgarh

---- Non-applicant

MCRC No. 7 of 2018

- Sachindrakar S/o Prakashchandrkar, Aged About 37 Years, R/o Village Bhathori, Thana And Tahsil Basna, District Mahasamund Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Excise Officer, Excise Circle Basna, District Mahasamund Chhattisgarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sunil Sahu, Advocate (in MCRC No.8132/2017),
Shri Vikash Pradhan, Advocate (in MCRC No.7/2018).
For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-02-2018

1. As both these applications arise out of the same crime number, i.e., Crime No. पी-8 क 18/17, registered at Excise Circle Basna, District Mahasamund, Chhattisgarh, they are being decided by this common order.
2. Heard on the applications filed under Section 439 of the Cr.P.C. These are first bail application before this Court by the applicants for grant of regular bail. The applicants have been arrested on 12-12-2017 in connection with aforesaid crime number for the offence under Section 34(2) of the C.G. Excise Act.
3. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in custody since 12-12-2017. Hence,

they may be enlarged on bail.

4. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 26.100 bulk liter illicit country made liquor has been seized from the joint possession of the applicants. Hence, they are not entitled for grant of bail.

5. Heard learned counsel for both the parties and perused the case diary.

6. 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 both the applications deserve to be allowed.

7. Consequently, both the applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are 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.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge