

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8466 of 2018**

1. Ganesh Singh Meravi, S/o Shri Jagdish Singh Meravi, aged about 22 years, R/o Village Jaithari, District Anuppur (MP).
 2. Manvendra Gautam, S/o late Shri Dipendra Gautam, aged about 53 years, R/o Rawanbhatha, Supela, Tahsil and District Durg (CG).
- Applicants**

Versus

State of Chhattisgarh, through Police Station Salhewara, District Rajnandgaon (CG).

---- Non-applicant

For Applicant : Mr. Kalyan Kalamkar, Advocate

For Non-applicant : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**01.11.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the copy of charge-sheet provided by the counsel for the State in connection with Crime No.41/2018 registered in Police Station Salhewara, District Rajnandgaon for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief, is that on 20.09.2018, 945 bulk liters of foreign liquor has been seized from the possession of the applicants.
4. Counsel for the applicants submits that the applicants have not committed any offence and have been falsely implicated in the case. He further submits that the applicants are working as employees of the truck owner. They are driver and cleaner of the said vehicle, respectively and as such the applicants may be released on bail.
5. Counsel for the State opposes the prayer for grant of bail. He further submits that no criminal antecedent is reported against the applicants in police case diary.

6. I have heard counsel appearing for the parties and perused the case diary with utmost circumspection.
7. Looking to the facts and circumstances of the case, looking to the huge quantity of liquor seized from the possession of the applicants, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicants.
8. Consequently, the bail application is rejected.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-