

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8924 of 2018

1. Shrawan Nishad S/o Pancham Nishad Aged About 27 Years R/o Village Parsulidih, P. S. Abhanpur, District Raipur, Chhattisgarh.
2. Premlal Nishad S/o Makhan Nishad Aged About 24 Years R/o Village Parsulidih, P. S. Abhanpur, District Raipur, Chhattisgarh.
3. Shyamu Nishad S/o Raghuram Nishad Aged About 24 Years R/o Village Parsulidih, P. S. Abhanpur, District Raipur, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Patan District Durg, Chhattisgarh.

---- Respondent

For Applicants : Shri Vijay Kumar Sahu, Advocate.
For Respondent/State : Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

26/11/2018

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 192/2018, registered at Police Station – Patan, District Durg, Chhattisgarh, for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 21.10.2018, on the basis of information received from an informant, police personnel searched Applicants and total 6.300 bulk litres of country-made liquor has been seized from joint possession and they have been arrested on 21.10.2018.
3. Learned counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the

case. He further submits that the Applicants have no criminal antecedent, they are in custody since 21.10.2018 and trial will take some time. Therefore, they may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants have no criminal antecedent, they are in custody since 21.10.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge