

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9280 of 2018**

1. Dilip Sonwani S/o Shankarlal Sonwani, Aged About 45 Years, R/o Village Ghoghara, Thana Tendukona, Tahsil Pithora, District Mahasamund Chhattisgarh.
2. Rakesh Kumar Sahu S/o Janakram Sahu, Aged About 22 Years, R/o Village Ghoghara, Thana Tendukona, Tahsil Pithora, District Mahasamund Chhattisgarh.
3. Kantu Vishwkarma S/o Bhagirathi Vishwkarma, Aged About 48 Years R/o Village Ghoghara, Thana Tendukona, Tahsil Pithora, District Mahasamund Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Tendukona, District Mahasamund Chhattisgarh.

---- Respondent

For Applicants : Shri Vikash Pradhan, Advocate.
For Respondent/State : Shri R.K. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**05/12/2018**

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. 131/2018, registered at Police Station – Tendukona, District- Mahasamund, (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 05.11.2018, on the basis of information received from an informant, police personnel searched the Applicants and total 12 bulk litres of country-made liquor have been seized from their joint possession. They have been arrested on 05.11.2018.

3. Learned Counsel appearing on behalf of the Applicant 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 05.11.2018 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 05.11.2018 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