

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 9960 of 2018**

1. Pramod Giri, S/o Manharan Giri, aged about 34 years (not mentioned in the order of learned Court below),
2. Pramod Sidar, S/o Dilip Sidar, aged about 32 years, (not mentioned in the order of learned Court below),

Both are R/o of Village Patharra, Police Station Kota, District- Bilaspur, (C.G.)

**---- Applicant**

**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Excise Circle Katghora, District - Korba, (.C.G.).

**---- Respondent**

**AND**

**MCRC No. 1085 of 2019**

- Anupam Singh, S/o Shri Kamal Singh Thakur, aged about 45 years, R/o Ring Road No. 02, Panna Nagar, Bilaspur, P.S. Civil Line Bilaspur, Tahsil & District- Bilaspur, (C.G.).

**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Excise Circle Katghora, District - Korba, (.C.G.).

---

For Applicants (in MCRC No. 9960/2018): Ms. Madhunisha Singh, Advocate.  
For Applicant (in MCRC No. 1085/2019) : Shri Achyut Tiwari, Advocate.  
For Respondent/State : Ms. Smriti Shrivastava, Panel Lawyer.

---

**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**22/04/2019**

1. Since both cases arise out of same Crime No., therefore, they are being disposed of by this common order.
2. The Applicants have preferred their first bail application under Section

439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 35/2018, registered at Police Station – Excise Circle Katghora, District - Korba, (C.G.) for the offence punishable under Sections 34 (1) (a), 34 (2), 59 & 36 of the Chhattisgarh Excise Act.

3. As per the prosecution story, on 11.11.2018, on the basis of information received from an informant, police personnels searched a truck bearing registration no. CG 10 AK 5495 in which Applicants namely Pramod Giri and Pramod Sidar (in MCRC No. 9960/2018) were sitting inside. It is further alleged that the said truck was driven by Applicant Anupam Singh (in MCRC No. 1085/2019). On being search, it was found that total 6,912 bulk liters of country-made liquor was being transported by the Applicants. Allegedly, Applicant Anupam Singh fled away from the spot and the said liquor was seized from the possession of the present Applicants Pramod Giri and Pramod Sidar. Applicants (in MCRC No. 9960/2018) have been taken into custody on 11.11.2018 and Applicant (in MCRC No. 1085/2019) has been taken into custody on 15.01.2019.
4. Learned Counsel appearing on behalf of the Applicant submits that the Applicants are innocent and has been falsely implicated in the case. They further submits that there is no any previous antecedent of the Applicants. Charge-sheet has been filed and both the seizure witnesses have not supported the case of the prosecution. Applicants (in MCRC No. 9960/2018) have been taken into custody on 11.11.2018 and Applicant (in MCRC No. 1085/2019) has been taken into custody on 15.01.2019 and trial is likely to take some time. Therefore, they may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary.

7. 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, Applicants (in MCRC No. 9960/2018) are in custody since 11.11.2018 and Applicant (in MCRC No. 1085/2019) is in custody since 15.01.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
8. Accordingly, the bail applications are allowed.
9. It is directed that the Applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 2,00,000/- each with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**  
**Judge**