

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3756 of 2019**

1. Raju Dangi S/o Shri Mahendra Singh Dangi, aged about 30 years R/o Village Odel, P.S. Bahadulpur, Civil & Revenue Distt. Ashok Nagar (M.P.)
2. Sanjay @ Sanju Patidar S/o Shri Harikishan Patidar, aged about 25 years R/o Village Sheikhpura, P.S. Mandi Distt. Sihar (M.P.)

**--- Applicants****Versus**

State of Chhattisgarh, Through Station House Officer, Police Station Basna, Distt. Mahasamund (C.G.)

**---- Respondent**


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| For Applicants | : | Mr. Sunil Sahu, Advocate    |
| For Respondent | : | Mrs. Smriti Shrivastava, PL |

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**Hon'ble Shri Justice Arvind Singh Chandel****Order on Board****03/07/2019**

1. The Applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 398/2018 registered at Police Station Basna, Distt. Mahasamund (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act and Sections 420, 467, 468 and 120-B of the IPC.
2. In this case there are total eleven accused persons. As per prosecution story, on 01/10/2018, police officials received a secret information and searched a vehicle bearing registration No. MP06 HP 2730. On being searched, it was found that the Applicants along with co-accused Sunny and other accused persons were present in the

said vehicle and from their joint possession total 4320 bulk liters of foreign made liquor was seized. The Applicants have been seized 01/10/2018.

3. Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the present case. He further submits that after filing of the charge-sheet both the seizure witnesses have been examined and they have not supported the case of the prosecution and have turned hostile. Co-accused Sunny has already been granted bail vide order dated 07/05/2019. He further submits that the Applicants are in custody since 01/10/2018, charge-sheet has been filed and trial will take time, therefore, they may be released on bail.
4. Counsel appearing on behalf of the State also opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly that the Applicants are in custody since 01/10/2019, co-accused has already been granted bail, charge-sheet has been filed and trial will likely to take time, without further commenting on merit of the case, I am inclined to release the Applicants 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

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**

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