

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4796 of 2019

1. Dhananjay S/o Shri Santosh Kumar Noniya, Aged About 28 Years, R/o Village Kharaud, Police Station Shivarinarayan, Civil & Revenue District Janjgir- Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Kush Kumar S/o Late Ramesh Kumar Noniya, Aged About 27 Years, R/o Village Kharaud, Police Station Shivarinarayan, Civil & Revenue District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh, Through The District Magistrate Janjgir, Civil & Revenue District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

----Non-applicant

For Applicant – Shri Paras Mani Shriwas, Advocate.

For Non-applicant/State – Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-07-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 12-07-2019 in connection with Crime No.307/2019 registered at P.S. - Shivarinarayan, District Janjgir-Champa, Chhattisgarh for the offence under Section 34(2) of C.G. Excise Act.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in jail since 12-07-2019. Hence, it is prayed that the applicants may be released on regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 10 bulk liter illicit liquor has been seized from the possession of the applicants. Also, there are two previous cases for the similar offence registered against them. Hence, they are not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. Considering on the submissions made and the contents of the case diary, detention of the applicants till conclusion of the trial would not serve any purpose. Hence, for these reasons, I am of the view that the application deserves to be allowed.

6. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge