

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5115 of 2019

1. Raju Padiya S/o Shri Mahashankar, Aged About 48 Years, R/o Ward No. 9 Khariyar Road, Thana - Khariyar Road District - Nuapada (Orissa)
2. Krishna Lal Thakur S/o Shri Sukhan Thakur, Aged About 19 Years, R/o Village - Khairatkhard, Thana - Komakhan, Tahsil - Bagbahra, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicants

Versus

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

----Non-applicant

For Applicants – Shri Sumit Shrivastava, Advocate.

For Non-applicant/State – Shri Jitendra Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-08-2019

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 25-07-2019 in connection with Crime No.184/2019 registered at P.S. - Bagbahra, District - Mahasamund, Chhattisgarh for the offence under Section 34(2) of the Chhattisgarh 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 25-07-2019. Hence, it is prayed that the applicants may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 50 bulk liter illicit liquor has been seized from the possession of the applicants. 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