

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1354 of 2019**

1. Manmohan Sonkar, S/o Shri Ram Siyambar, Aged About 29 Years R/o Mouharpara, Manendragarh, Police Station and Tahsil Manendragarh, District Koriya, Chhattisgarh.
2. Golu Rajak S/o Shri Bhagwan Das Rajak, Aged About 24 Years R/o Mouharpara, Manendragarh, Police Station and Tahsil Manendragarh, District Koriya, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Manendragarh, District Koriya, Chhattisgarh.

---- Respondent

For Applicants	: Shri Hemant Kumar Agrawal, Advocate.
For Respondent/State	: Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**13/11/2019**

1. The Applicants are apprehending their arrest in connection with Crime No. 188/2019 registered at Police Station Manendragarh, District Koriya, (C.G.). for the offence punishable under Sections 34(2) of C.G. Excise Act.
2. As per the prosecution story, on 21.06.2019, on the basis of information received from an informant, police personnels searched the house of co-accused Mamta Rajak and seized total 17.640 bulk liters of illicit liquor from her house. On being asked, she disclosed the fact that, the said illicit liquor was kept in the house by present Applicants for the purpose of sale. It is alleged that, Applicants always used to keep liquor in the house with intension to sell it. On the basis of the said, offence has been registered against Mamta Rajak and present Applicants.

3. Learned 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, there is no any material available on record on the basis of which it can be said that Applicants are involved in the crime in question. Applicants are only implicated in this case on the basis of disclosure made by co-accused Mamta Rajak and apart from this no other material is available on record in this regard. Therefore, *prima facie* no case can be made out against any of the Applicants. Thus, it is prayed that Applicants may be granted the benefit of anticipatory bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the fact and circumstances of the case and particularly considering the fact that that apart from the disclosure made by co-accused Mamta Rajak, there is no any other material available on record against present Applicants, therefore, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicants.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the Applicants in connection with the aforesaid crime, they shall be released on anticipatory bail on each of them furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. They shall also abide by all the following terms and conditions :
 - (i) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such fact to the

Court,

- (ii) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge