

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5318 of 2019

1. Sujan Sapaha S/o Shankr Lal Sapaha, Aged About 33 Years, R/o Village Dhaur, Police Station - Jamul, Tahsil and District - Durg, Chhattisgarh., District : Durg, Chhattisgarh
2. Sajan Sapaha S/o Shankar Lal Sapaha, Aged About 27 Years, R/o Village Dhaur, Police Station - Jamul, Tahsil and District - Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through - Police Station Supela, District - Durg, Chhattisgarh., District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Ms. Kiran Singh, Advocate.

For Non-applicant/State – Mr. Roshan Dubey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-08-2019

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 applicant for grant of regular bail. The applicant has been arrested on 03-07-2019 in connection with Crime No.650/2019 registered at P.S. - Supela, District - Durg, 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 03-07-2019. 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 total 7.740 bulk liter illicit liquor has been seized from the possession of the applicants. Also, there are two previous cases under the provisions of the Excise Act registered against them. Therefore, they are not entitled for grant of bail.
4. In reply, it is submitted that the previous cases against the applicants

have been disposed off.

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

6. 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