

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5739 of 2019

1. Dhaneshwar S/o Nemichand Chandrawanshi Aged About 22 Years
Caste Kanwar, R/o Village Motipur, Police Station Chichola, District
Rajnandgaon Chhattisgarh
2. Omkar S/o Ailan Singh Aged About 22 Years Caste Kanwar, R/o Village
Motipur, Police Station Chichola, District Rajnandgaon Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Excise Circle Chichola District
Rajnandgaon Chhattisgarh

---- Respondent

For Applicants	:	Mr. Shaleen Singh Baghel, Advocate.
For Non-applicant/State	:	Mr. Jitendra Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-09-2019

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 14.08.2019 in connection with Crime No.47/2019 registered at P.S. Excise Circle, Chichola District- Rajnandgaon, Chhattisgarh for the offence under Sections 34(2), 59 of the 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 14.08.2019. Therefore, it is prayed that the applicants may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that total 13.500 liters liquor has been seized from the possession of the applicants. Therefore, 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. Therefore, for these reason, I am of the view that the application deserves to be allowed.
6. Consequently, this application filed by the applicant 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 their 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