

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7776 of 2018

1. Dayal Kumar Sahare S/o Sukhdev Sahre, aged about 25 years, R/o Qwater No. 9 Sector 11 Ward 29, Police Station Khursipar Bhilai, District Durg (C.G.)
2. Prahlad Bhagat S/o Bharat Bhagat, aged about 24 years, R/o Qwater No. 46 Sector 11 Ward 29, Police Station Khursipar Bhilai, District Durg (C.G.)

---- Applicants

Versus

- State of Chhattisgarh Through Police Station – Excise Circle Balodabazar, District Balodabazar-Bhatapara (C.G.)

---- Respondent

For Applicant	: Shri Tarun Dansena, Advocate.
For Respondent/State	: Shri Sumit Singh, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

04/02/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 55/2018, registered at Police Station – Excise Circle Balodabazar, District- Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34 (1) (A), 34 (2), 36, 59 (A) of the CG Excise Act.
2. As per the prosecution story, on 03.09.2018 on the basis of information received from an informant excise officials stopped the vehicle bearing Registration No. CG 07 BJ 5750, on being searched the said vehicle total 270 liters of country made liquor has been sized from the possession of the present applicants and they have been arrested on 03.09.2018.

3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further submits that the Applicants have no criminal antecedents, they are in custody since 03.09.2018 and trial will take some time. Therefore, they may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants have no criminal antecedents, they are in custody since 03.09.2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge