

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6428 of 2019

1. Surya Kumar S/o Dhanau, Aged About 24 Years, R/o Mandhar, Simga, District Baloda Bazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Raja @ Krishan S/o Vijay Dhritlahre, Aged About 22 Years, R/o Village Khairghat, Police Station Simga, District Baloda Bazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

(The name of applicants No.2 is not mentioned in array of bail application which was dismissed by the learned court below, the same is mentioned as per the bail application filed by the applicants no.2 before the court below)

---- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, Police of Police Station Simga, District Baloda Bazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

----Non-applicant

For Applicants – Shri Anil Gulati, Advocate.

For Non-applicant/State – Shri Kapil Maini, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-10-2019

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 17-09-2019 in connection with Crime No.379/2019 registered at P.S. - Simga, District Baloda bazar-Bhatapara, 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 17-09-2019. 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 8.640 bulk liter illicit liquor has been seized from the possession of these 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