

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6559 of 2019

1. Mukesh Yadav @ Pintu S/o Bhalman Yadav Aged About 27 Years R/o Ward No. 07 Karrapara Bagbahara, Thana And Tahsil Bagbahara, District - Mahasamund, Chhattisgarh.
2. Rahul Yadav S/o Sukru Yadav Aged About 19 Years R/o R/o Ward No. 07 Karrapara Bagbahara, Thana And Tahsil Bagbahara, District - Mahasamund, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bagbahara, District - Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	: Shri Vikash Pradhan, Advocate.
For Respondent/State	: Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/10/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they have been arrested in connection with crime No. 220/2019, registered at Police Station – Bagbahara, District- Mahasamund, (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 21.09.2019, on the basis of the information received by the informant police personnels searched the Applicants' vehicle Scooty bearing registration No. CG-06-DX-5016, which was driven by applicant No. 2 (Rahul Yadav) and applicant No. 1 (Mukesh Yadav @ Pintu) sat back side of the said vehicle and total 48.600 bulk litres of foreign-made liquor has been seized from their possession and they have been arrested on 21.09.2019.
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 antecedent, they are in custody since 21.09.2019 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.
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 antecedent, they are in custody since 21.09.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety each 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