

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9871 of 2018

1. Sukman Diwan S/o Late Tundu Aged About 30 Years R/o Bade Kilepal, Police Station Kodena, District Bastar Chhattisgarh
2. Sukru Poyam S/o Mangdu Aged About 40 Years R/o Bade Kilepal, Police Station Kodena, District Bastar Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh Through Police Station Geedam District Dantewada Chhattisgarh

---- Respondent

For Applicants	: Shri Kishore Narayan, Advocate.
For Respondent/State	: Shri. Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

02/01/2019

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. 100/2018, registered at Police Station – Geedam, District Dantewada (C.G.) for the offence punishable under Section 34 (2) of the C.G. Excise Act.
2. As per the prosecution story, on 25.11.2018, on the basis of information received from an informant, police personnels searched the Applicants and total 6.660 bulk litres of foreign liquor has been seized from their possession and they have been arrested on 25.11.2018.
3. Learned Counsel appearing on behalf of the Applicants submits that the Applicant 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 25.11.2018 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 25.11.2018 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 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