

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2463 of 2020

1. Tuleshwar S/o Din Dayal Aged About 21 Years R/o Village Narra, P.S.- Balod, Tehsil and District - Balod, Chhattisgarh.
2. Pokhan Lal Sahu S/o Tukaram Sahu, Aged About 21 Years R/o Village Narra, P.S.- Balod, Tehsil And District- Balod, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through - S.H.O. Balod, District Balod, District : Balod, Chhattisgarh.

---- Respondent

For Applicants : Shri B.P. Singh, Advocate.
For Respondent/State : Shri Devendra Pratap Singh, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

08/05/2020

1. The matter is heard through video-conferencing.
2. 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. 139/2020, registered at Police Station – Balod, District - Balod, (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. As per the prosecution story, on 06.04.2020, on the basis of information received from an informant, police personnels searched the Applicants and total 18 bulk litres of country-made liquor has been seized from joint possession of both the applicants. They have been arrested on 06.04.2020.
4. 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 previous antecedents. They are in custody since 06.04.2020, charge-sheet has not been filed and trial will take some time. Therefore, it is prayed that applicants may be released on bail.

5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants have no previous antecedents, they are in custody since 06.04.2020, and trial is likely to take some time, therefore, without further commenting on merits of the case, I am inclined to release them on bail.
8. Accordingly, the bail application is allowed.
9. 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 concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge