

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2467 of 2020

1. Ganesh S/o Bhagirathi Chouhan Aged About 35 Years R/o Village Memara, Thana- Pithora, District- Mahasamund, Chhattisgarh.
2. Girsih Kumar S/o Gopinand Kumar Chouhan Aged About 32 Years R/o Village Memara, Thana- Pithora, District- Mahasamund, Chhattisgarh.

---- Applicants

Versus

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

---- Respondent

For Applicants	: Mr. Vikash Pradhan, Advocate appears through video conferencing.
For Respondent/State	: Ms. Hamida Siddiqui, Deputy Advocate General appears through video conferencing.

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. 90/2020, registered at Police Station Pithora, District Mahasamund (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. As per the prosecution story, on the basis of information received from an informant, police personnels searched the applicants and total 30 bulk litres of country-made liquor has been seized from their possession and they have been arrested on 26.04.2020.
4. Learned counsel appearing through video conferencing 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 are in custody since 26-04-2020, charge-sheet has not been filed yet, therefore, trial will likely to take some time. Hence, it is prayed that the 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, evidence collected by the prosecution and further considering the fact that the applicants are in custody since 26-04-2020 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants 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 Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge