

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2482 of 2020**

1. Rajendra Patel, S/o Leeladhar Patel, Aged About 33 Years R/o Village Raitaal, Police Station Khallari, Tehsil Baghbahra District Mahasamund Chhattisgarh.
2. Manikram Thakur, S/o Gaursingh Thakur, Aged About 45 Years R/o Lalpuriapara Jaamgaon Bokramuda Post Ghuchapali, Police Station And Tehsil Baghbahra, District Mahasamund Chhattisgarh.
3. Heeradhar Diwan, S/o Punuram Diwan, Aged About 56 Years R/o Lalpuriapara Jaamgaon Bokramuda Post Ghuchapali, Police Station And Tehsil Baghbahra, District Mahasamund Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through - Police Station Baghbahra, District Mahasamund Chhattisgarh.

---- Respondent

For Applicants	: Mr. Shubhank Tiwari, Advocate.
For Respondent/State	: Ms. Hamida Siddiqui, 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. 71/2020, registered at Police Station– Baghbahra, District: Mahasamund (C.G.) for the offence punishable under Section 34 (2) of C.G. Excise Act.
3. As per the prosecution story, on 27.04.2020, on the basis of information received from informant, police officials searched and seized total 40 Litres of country-made hand-made alcohol namely *Mahuua* from the possession of the present Applicants. On the basis

of said, offence has been registered. The Applicants are in custody since 27.04.2020.

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 criminal antecedents, they are in custody since 27.04.2020, charge sheet has not been filed and trial is likely to take some time. Therefore, they 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 the applicants have no criminal antecedent, they are in custody since 27.04.2020, charge sheet has not been filed and trial will 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