

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2643 of 2020

1. Kamlesh Sahu S/o Puneelal Sahu Aged About 26 Years
 2. Kanhaiya Lal Kashyap S/o Pardeshi Kashyap Aged About 25 Years
- (Both are R/o Village Godhana, Thana And Tahsil Nawagarh, District Janjgir-Champa, Chhattisgarh)

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Nawagarh, District Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicants	:	Mr. Vikash Pandey, Advocate.
For Non-applicant/State	:	Mr. Gagan Tiwari, Dy.G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-05-2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.157/2020, registered at P.S.- Nawagarh, District- Janjgir-Champa, Chhattisgarh for the offence under Sections 34(2) and 59(A) of the C.G. Excise Act.
2. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 11 bulk liters and they were arrested on 01.05.2020.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 01.05.2020; therefore, they may be released on bail.
4. Learned counsel for the State/non-applicant had formal objection.
5. Taking into consideration the totality of the circumstances and the fact

that the quantity of seized liquor is 11 bulk liters; offence is triable by the JMFC and the applicants are in jail since 01.05.2020, this Court is inclined to release the applicants on bail.

6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge