

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8769 of 2020**

1. Mahesh @ Bathu Sahu S/o Anju, Aged About 27 Years R/o Village - Gochhiya, Chowki Bazar, Charbhata, Police Station - Kawardha Tehsil And District - Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh
 2. Arvind Kaushik S/o Santosh Kaushik, Aged About 26 Years R/o Village - Gochhiya, Chowki Bazar, Charbhata, Police Station - Kawardha Tehsil And District - Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh
- Applicants**

Versus

- State Of Chhattisgarh, Through District Magistrate, District - Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), CG.---- **Respondent**

For Applicants	:	Mr. Anupam Sharma, Advocate.
For State	:	Mr. D.K. Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****08-12-2020**

1. Heard on admission.
2. The application is admitted for hearing.
3. With consent of both the parties, the matter is heard finally.
4. The applicants have preferred this first bail application under Section 439 of Cr.P.C. as they are in jail since 9-11-2020 in connection with Crime No. 624 of 2020 registered in Police Station- Kawardha, Police Chowki – Bazar Charbhatha, Police Station Kawardha, District Kabirdham (CG) for the offence punishable under Section 34(2) of the CG Excise Act.
5. Allegation against the applicants is that they were found in illegal possession of 5.760 liters of foreign liquor.

6. Learned counsel for the applicants submits that the applicants have been falsely implicated in this crime, they are languishing in jail since 9-11-2020 and conclusion of the trial is likely to take some time. He also submits that the applicants have no criminal antecedent.
7. On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicants have no criminal antecedents.
8. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of illicit liquor, the detention period of the applicants and the fact that the applicants have no criminal antecedent as admitted by both the counsels and that conclusion of the trial may take some time, the application is allowed. It is directed that on each of the appellants executing a personal bond for a sum of Rs.50,000/- with two equivalent sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail. They are directed to appear before the trial Court on each and every date given to them by the said Court, till disposal of the trial.
9. It is made clear that the applicants shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)

Judge

Raju