

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3150 of 2021

1. Ashok Diwan S/o Chetan Diwan, Aged About 30 Years R/o Khaspara, Village: Bakel, Police Station Bhanpuri, District : Bastar(Jagdalpur), Chhattisgarh
2. Nayendra Singh @ Bablu S/o Anant Sethiya Aged About 23 Years R/o Khaspara, Village: Bakel, Police Station: Bhanpuri, District : Bastar(Jagdalpur), Chhattisgarh
3. Romanth @ Romu Sinha S/o Gajadhar Sinha Aged About 29 Years R/o Village: Kumhali, Police Station: Bhanpuri, District : Bastar(Jagdalpur), Chhattisgarh

---- Applicants

Versus

State of Chhattisgarh through Station House Officer, Police of Police Station Bhanpuri, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

For Applicants	: Mr. Pravin Kumar Tulsyan, Advocate.
For Respondent/State	: Mr. Vivek Ranjan Tiwari, Additional A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

28.05.2021

1. The matter is heard through Video Conferencing.
2. Heard on admission.
3. Admit.
4. Since, necessary information is available therefore, with the consent of both the parties heard finally.
5. 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. 44/2021, registered at Police Station: Bhanpuri, District: Bastar (C.G.) for the offence punishable under Section 34 (2) & 42 of the C.G. Excise Act.

6. As per the prosecution story on 21.04.2021, on the basis of secret information received from an informant, police officials searched and seized total 09 Litre of illicit liquor from the possession of Applicant No.1 & 2. During course of investigation, on the basis of statement of Applicant No.1 & 2 police officials also searched and seized total 17.820 Litre illicit liquor from the possession of Applicant No.3. On the basis of said, offence was registered and the Applicant No.1 & 2 were arrested on 21.04.2021 & Applicant No.3 was arrested on 23.04.2021.
7. Learned counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the present case. He submits that presently Applicant No.1 & 2 are in jail since 21.04.2021 and Applicant No.3 is in jail since 23.04.2021. He further submits that the applicants have no previous antecedents and charge-sheet has not been filed and trial is likely to take some more time. Therefore, the Applicants may be released on bail.
8. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
9. I have heard learned Counsel for the parties.
10. After due consideration and particularly considering the detention period of the Applicants and the seized quantity of liquor, without further commenting on other merits of the case, I am inclined to release the Applicants on bail.
11. Accordingly, the bail application is allowed.
12. 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