

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8001 of 2021**

1. Mohd. Jubair S/o Late Yunus, Aged About 34 Years R/o Village Mangli Bazar, Gourella, Police Station Gourella, District Gourella - Pendra - Marwahi, Chhattisgarh.
2. Prashant Sen Alias Golu S/o Late Narendra Sen, Aged About 22 Years Caste Nai, R/o Village Pateratola, Gourella, Police Station Gourella, District Gourella - Pendra - Marwahi, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through - Police Station Gourella, District Gourella - Pendra - Marwahi, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Ashok Soni, Advocate
For the State	:	Shri Vimlesh Bajpai, Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**18/10/2021**

1. As per applicants, this is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other court.
2. The applicants have been arrested in connection with Crime No.359/2021 registered in Police Station Gourella, District Gourella-Pendra-Marwahi (CG) for offence punishable under Section 34(2), 59 (A) of C.G. Excise Act.
3. Prosecution story in brief is that on 23/09/2021, 12 bulk liters of country made liquor has been seized from joint possession of the applicants.
4. Counsel for the applicants argued that the applicants are innocent, they have been falsely implicated, they are in jail since 23/09/2021, hence they be released on bail.

5. On the other hand, the State counsel opposed the bail application. He further submitted that two previous cases under Excise Act and Gambling Act have been reported against applicants in the police case diary. Preventive action has also been taken against the applicants.
6. Looking to the quantity of the seized liquor and totality of the facts, I feel inclined to allow the bail application. It is directed that if each of the applicants furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond in the like sum to the satisfaction of the trial Court concerned for their appearance before the concerned Court as and when directed by the said Court, they be released on bail.
7. CC as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE