

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8387 of 2021**

1. Devendra Kumar Joshi S/o Shri Ramlal Joshi Aged About 38 Years, R/o Village Charpara, Police Station- Malkharoda, Civil And Revenue District- Janjgir-Champa, Chhattisgarh
2. Sooraj Kumar Bharati S/o Shri Chheduram Bharati Aged About 32 Years R/o Village Charpara, Police Station- Malkharoda, Civil And Revenue District- Janjgir-Champa, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Excise Circle Sakti, Civil And Revenue District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri P.M. Shrivastava, Advocate
For the State	:	Shri Amit Kumar Verma, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**27/10/2021**

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 applications is pending before any other Court.
2. The applicants have been arrested in connection with Crime No. 108/2021 registered in Police Station Excise Circle Sakti, District Janjgir-Champa (CG) for offence punishable under Section 34(2) of C.G. Excise Act.
3. Prosecution story in brief is that on 08/10/2021, 15 bulk liter of country made liquor has been seized from the joint possession of applicants.
4. Counsel for the applicants argued that the applicants are innocent, they have been falsely implicated, they are in jail since 08/10/2021,

offence is triable by Judicial Magistrate First Class, hence they be released on bail.

5. On the other hand, the State counsel opposed the bail application mentioning that illicit liquor has been seized from joint possession of the applicants.
6. Considering the nature and gravity of the offence and quantity of seized liquor, the detention period of the applicants, 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.

CC as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE