

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8445 of 2021**

1. Ashok Kumar Rathore S/o Ramswayambar Rathore Aged About 38 Years Caste Rathore, R/o Village Jaitahari, Police Station Maitahari, District Anuppur Madhya Pradesh.
2. Vanshgopal S/o Arjun Rathore Aged About 34 Years Caste Rathore, R/o Village Dhangawan, Police Station Jaitahari, District Anuppur Madhya Pradesh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer Police Station Gaurella, District Gaurella Pendra Marwahi Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Sushil Dubey, Advocate
For the State	:	Shri Sameer Oraon, Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**28/10/2021**

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.374/2021 registered in Police Station Gaurella, District Gourella-Pendra-Marwahi (CG) for offence punishable under Section 34(2) and 59 (A) of C.G. Excise Act.
3. Prosecution story in brief is that on 09/10/2021, 7 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, charge-sheet has been filed, they

are in jail since 09/10/2021, hence they be released on bail.

5. On the other hand, the State counsel opposed the bail application. He further submitted that as per case diary there is no criminal antecedent has been reported against applicants in the police case diary.
6. Considered the submissions made by counsel for both the parties.
7. 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.

CC as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE

Kamde