

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8905 of 2021**

1. Karan Kumar Singh S/o Veer Bahadur Singh Aged About 28 Years R/o House No. 108, Ward No. 18, D. M. C. Talab Par, Kumhari, Police Station Kumhari, Tahsil Dhamdha, District Durg Chhattisgarh
2. K. Shiva Rao S/o Late K. Gopal Rao Aged About 24 Years R/o House No. 108, Ward No. 18, D. M. C. Talab Par, Kumhari, Police Station Kumhari, Tahsil Dhamdha, District Durg Chhattisgarh

---- Applicants**Versus**

3. State of Chhattisgarh Through Station House Officer, Police of Police Station Kumhari, District Durg Chhattisgarh

---- Respondent

For Applicants - Shri Sanjeev Verma, Advocate.
For Respondent/State - Shri Dinesh Tiwari, Dy. Government Advocate.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****17-11-2021**

1. Heard.
2. The applicants have preferred the first bail application under Section 439 of the Cr.P.C. for grant of regular bail, as they are arrested in connection with Crime No.187/2021, registered at Police Station – Kumhari, District – Durg (C.G.) for the offence punishable under Section 34 (2), 36 of the Chhattisgarh Excise Act.
3. Allegation against the applicants is that, on 05-08-2021, the applicants and other co-accused persons were found in joint illicit possession of 43.200 bulk liters of foreign liquor.
4. Learned counsel for the applicants would submit that the applicants are innocent, they have been falsely implicated in the

instant case and also mentioning that the applicants arrested on 05-08-2021 but because of the COVID 19 pandemic, they are released on interim bail on 23-08-2021 and at present, they are still on interim bail. He further submits that this is the first crime registered against both the applicants. Hence, they may be enlarged on bail. Moreover, he also submits that two co-accused persons have been granted bail by the co-ordinate Bench vide order dated 25-10-2021 passed in MCRC No.6504/2021; one co-accused person has been granted regular bail vide order dated 21-09-2021 in MCRC No.6317/2021 and one co-accused person has been granted anticipatory bail in MCRCA No.1026/2021 on 03-09-2021.

5. Learned counsel for the State would oppose the bail application of both the applicants. He further submits that as per case diary, no criminal antecedent has been found registered against the applicants.
6. After hearing learned counsel for both the parties and taking into consideration that the other co-accused persons have been granted bail and also the detention period of the applicants, I feel inclined to enlarge the applicants on bail.
7. Accordingly, the present bail application is allowed. It is directed that if each of them 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.

SD/-

(N.K. Chandravanshi)
Judge

Amardeep