

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8781 of 2021**

1. Yugal Kishore, Son of Barelal, aged about 21 years, Occupation Agriculturist,
2. Kartik, Son of Mukund, aged about 18 years, Occupation Agriculturist, Both R/o. Village Chiddo, Police Station Dongergarh, District Rajnandgaon (C.G.)

---- Applicants**Versus**

State of Chhattisgarh, Through : The Station House Officer, Excise Circle Dongergarh, District Rajnandgaon (C.G.)

----Non-applicant

For Applicants	:	Mr. Punit Ruparel, Advocate.
For Non-applicant	:	Mrs. Smriti Shrivastava, Panel Lawyer.

Hon'ble Mr. Justice N.K. Chandravanshi**Order On Board****15-11-2021**

(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. 78/2021 registered in Excise Circle Dongergarh, District Rajnandgaon (C.G.) for the commission of offence punishable under Sections 34(1), 34(2) & 36 of C.G. Excise Act.

(3) Case of the prosecution, in brief, is that 86.4 bulk liters of illicit liquor was seized by the police from the joint possession of the applicants on 24.10.2021 and thereby committed the aforesaid offences.

(4) Counsel for the applicants submits that applicants have been falsely implicated in the crime in question as they have not committed the alleged crime. He further submits that applicants have been arrested on 24.10.2021; charge-sheet has already been filed and

conclusion of trial is likely to take long time, therefore, the applicants may be released on bail.

(5) Per contra, the State counsel opposes the bail application filed by the applicants. She further submits that there is no previous criminal antecedents against the applicant.

(6) I have heard learned counsel for the parties and perused the case diary as well as material available on record.

(7) Looking to the entire facts and circumstances of the case, quantity of the liquor seized from the joint possession of the applicants and detention period of the applicants, I feel inclined to allow the bail application. It is directed that if the applicants furnish 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

D/-

