

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 8604 of 2021**

N. Kumar Sahu, S/o Gangadin Sahu, aged about 43 years, R/o Villlage-Salonee, Police Station-Keregon, District – Dhamtari (C.G.)

---- Applicant

**Versus**

State of Chhattisgarh, Through:- the Station House Officer of Excise Circle City Dhamtari, District Dhamtari (C.G.)

----Non-applicant

**M.Cr.C. No. 8691 of 2021**

Kausal Kumar Nishad, S/o Chhabi Nishad, aged about 42 Years, R/o Village-Salonee, Police Station- Keregaon, District – Dhamtari (C.G.)

---- Applicant

**Versus**

State of Chhattisgarh, Through:- the Station House Officer of Excise Circle City Dhamtari, District Dhamtari (C.G.)

----Non-applicant

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| For Applicants    | : | Mr. Sanjeev Kumar Sahu, Advocate. |
| For Non-applicant | : | Mr. Sudhir Sahu, Panel Lawyer.    |

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**Hon'ble Mr. Justice N.K. Chandravanshi**

**Order On Board**

**15-11-2021**

(1) Above mentioned two bail applications filed under Section 439 of the Cr.P.C. arise out of a common Crime No.48/2021, registered in Excise Circle City Dhamtari, District Dhamtari, for the offence punishable under Sections 34(2), 59(क) of the Chhattisgarh Excise Act, therefore, they are being heard analogously and decided by this Common Order.

(3) Case of the prosecution, in brief, is that 72 bulk liters of illicit handmade liquor

(*Mahuwa*) was seized by the police from the possession of the applicants in both the cases separately 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 18.10.2021 and conclusion of trial is likely to take long time, therefore, they may be released on bail.

(5) Per contra, the State counsel opposes the bail application filed by the applicants.

(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 possession of the applicants and detention period of the applicants, I feel inclined to allow the bail applications. 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/-*

