

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8809 of 2021**

1. Sushil Chouhan S/o Harilal Aged About 29 Years Cast- Gaanda,
2. Dayasagar Chouhan S/o Tiharu Chouhan Aged About 32 Years Caste -Gaanda,

Both are R/o Village-Baradoli, Police Station And Tehsil-Saraypali, District Mahasamund (Chhattisgarh)

---- Applicants

Versus

State Of Chhattisgarh Through- Police Station Saraypali, District-Mahasamund (Chhattisgarh).

---- Respondent

For the Applicants	:	Shri Mohit Kumar, Advocate
For the State	:	Smt. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board

11/11/2021

1. Heard.
2. The applicants have preferred this first bail application under Section 439 of the Cr.P.C. for grant of bail as they have been arrested in connection with Crime No. 389/2021, registered at Police Station Saraypali, District - Mahasamund (C.G.), for the offence punishable under Section 34 (2) of C.G. Excise Act.
3. Case of the prosecution in brief is that on 29/09/2021, 20 bulk liter of country made liquor has been seized from the joint illegal possession of applicants.
4. Learned counsel for the applicants argued that this is first crime registered against the present applicants, they are innocent and

falsely implicated by the Police in the instant case, no seizure has been made from them and they are in custody since 30/09/2021, hence applicants be released on bail.

5. On the other hand, learned State counsel opposed the bail application mentioning that Illicit liquor has been seized from illegal possession of the applicants, therefore, they may not be granted bail.
6. Considered the submissions made by both the counsel.
7. Considering the nature and gravity of the offence and quantity of seized liquor, no previous criminal antecedent against them, 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