

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9310 of 2021**

1. Vijay Kumar Thakur S/o Heerala Thakur Aged About 24 Years,
2. Vrindavan Thakur S/o Paleshwar Thakur Aged About 26 Years,

Both are R/o Village Thekadbri, Police Station Devri, District Balodabazar Bhatapara, Chhattisgarh

3. Hetram S/o Girdhari Bariha Aged About 23 Years,
4. Gajpati S/o Mukutram Bariha Aged About 23 Years,

Applicants No. 3 & 4 are R/o Village Jamdarha, Police Station Bhanwarpur, District Mahasamund, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through The Excise Officer Excise Circle Pithora, District Mahasamund, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Sudhir Sahu, Advocate appears on behalf of Shri Raghvendra Pradhan, Advocate
For the State	:	Shri Roshan Dubey, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board

26/11/2021

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. 43/2021, registered at Excise Circle, Pithora, District – Mahasamund (C.G.), for the offence punishable under Section 34 (2) of C.G. Excise Act.

3. Prosecution story in brief is that on 26/09/2021, 460 bulk liter of mahua liquor has been seized from the illegal joint possession of applicants.
4. Counsel for the applicants submit that this is first crime registered against the present applicants, they are innocent and falsely implicated, they are in jail since 26/09/2021, therefore, they be released on bail.
5. On the other hand, learned State counsel opposes the bail application. He submits that alleged liquor has been seized from illegal possession of the applicants. He further submits that as per case diary there is no previous criminal antecedent against the present applicants.
6. I have heard learned counsel for both the parties and perused the material available on record.
7. Looking to the facts and circumstances of the case and quantity of the liquor seized from the illegal possession of the applicants, trial will take more time, I feel inclined to allow the bail application. It is directed that if the applicants furnishes two solvent sureties for a sum of Rs.1,00,000/- each 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