

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8869 of 2021**

1. Jama Gond @ Rameshwar Gond S/o Tulsi Gond, Aged About 20 Years R/o Bhatmadhwa, P.S. Gidhour, Balodabazar -Bhatapara Chhattisgarh.
2. Sujeet Sarthi S/o Basant Sarthi Aged About 26 Years Shiv Narayan, P.S. Nawagarh, District Janjgir - Champa, District Janjgir-Champa Chhattisgarh.

---- Applicants**Versus**

3. State of Chhattisgarh Through The Police Station Gidhour - Tundra, District Balodabazar Bhatapara, Chhattisgarh.

---- Respondent

For Applicants - Ms. Supriya Upasane, Advocate.
For Respondent/State - Shri B.P. Banjare, Dy. Government Advocate

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****15-11-2021**

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.155/2021, registered at Police Station – Gidhour-Tundra, District – Balodabazar Bhatapara (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 30-10-2021, the applicants were found in joint illicit possession of 80 bulk liters of country made liquor (*Mahua*).

4. Learned counsel for the applicants would submit that the applicants are innocent, they have been falsely implicated in the instant case and they are in jail since 30-10-2021. He further submits that this is the first crime registered against them. Hence, they may be enlarged on bail.
5. Learned counsel for the State would oppose the bail application of the both the applicants. He further submits that, as per case diary, there is no criminal antecedents registered against them.
6. After hearing learned counsel for both the parties; perused the material available on record and also for the fact that the applicants are in jail since 30-10-2021. 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