

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9205 of 2021**

1. N. Ramarao S/o Late N. Apparao, Aged About 46 Years,

2. Musli Baghel S/o Late Bhima Baghel, Aged About 38 Years,

Both are R/o. Village Jagarmunda, Police Station Jagarmunda,
Tahsil Konta, District Sukma Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through - The Station House Officer,
Police Station Palari, Chintagufa, District Sukma Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Prahlad Shrivastava, Advocate
For the State	:	Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****25/11/2021**

1. Heard.
2. This is first bail application filed under Section 439 of Cr.P.C. for grant of regular bail to the applicants who have been arrested in connection with Crime No. 11/2021, registered at Police Station Chintagufa, District – Sukma (C.G.), for the offence punishable under Section 34 (2) of C.G. Excise Act and 130 (3) of Motor Vehicle Act.
3. As per prosecution story on 28/10/2021, 25.740 bulk liter of foreign liquor has been seized from the illegal joint possession of applicants.
4. Learned counsel for the applicants submits that applicants are

innocent and they have been falsely implicated, offence is triable by Judicial Magistrate First Class, they are in custody since 28/10/2021, hence 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. Considering the facts and circumstances of the case, no previous criminal antecedent against the applicants, quantity of seized liquor which has been seized from the joint possession of the applicants, offence is triable by Judicial Magistrate First Class, 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