

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9165 of 2021**

1. Nathmal Bareth S/o Parasram Bareth, Aged About 39 Years R/o Village Panchpedi, Police Station Urga Tahsil Kartala District Korba Chhattisgarh
2. Chotelal S/o Khudan Bareth, Aged About 39 Years R/o Village Pachpedi, Police Station Urga, Tahsil Kartala District Korba Chhattisgarh

---- Applicants

Versus

1. State of Chhattisgarh Through Police Station Urga, District Korba Chhattisgarh

---- Respondent

For Applicants - Shri Deepak Kumar Singh, Advocate.
For Respondent/State - Shri Shrikant Kaushik, Panel Lawyer.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****23-11-2021**

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.538/2021, registered at Police Station – Urga, District – Korba (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 28-10-2021, the applicants were found in joint illicit possession of 25 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 28-10-2021. Seizure has been falsely made from the possession of applicants. He further submits that this is the first crime registered against both the applicants. Hence, they may be enlarged on bail.
5. Learned counsel for the State would vehemently oppose the bail application filed by the applicants. He further submits that, as per case diary, no criminal antecedent has been found against the applicants.
6. After hearing learned counsel for both the parties; perused the material available on record; quantity of seized liquor from the possession of the applicants and also the period of detention, I am inclined to release 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