

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9262 of 2021**

1. Dharnidas S/o Munudau Das Aged About 27 Years R/o Village Hicchpur, Police Station And Tahsil Ambabhouna, And District Bargadh Odisha
2. Navin Seth S/o Shri Jadu Seth Aged About 30 Years R/o Village Hicchpur, Police Station And Tahsil Ambabhouna, And District Bargadh Odisha

---- Applicants

Versus

1. State of Chhattisgarh Through S.H.O of the Police Station Excise Circle Sariya District Raigarh Chhattisgarh

---- Respondent

For Applicants - Shri Abhishek Saraf, Advocate.
For Respondent/State - Ms. Akshara Amit, Panel Lawyer.

Hon'ble Justice Shri N.K. Chandravanshi

Order on Board**25-11-2021**

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.28/2021, registered in Excise Circle Sariya, District – Raigarh (C.G.) for the offence punishable under Sections 34 (1) A, 34 (2), 59 (A) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 15-11-2021, the applicants were found in joint illicit possession of 50 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 15-11-2021. 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