

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10332 of 2021**

1. Basant Kumar Vishwas Son Of Varun Aged About 42 Years
Resident Of Village Jogidipa, P.S. Patewa, District Mahasamund
Chhattisgarh.
2. Mukesh Koshaley Son Of Pawan Koshaley Aged About 24 Years
Village - Bamburdih, P.S. Patewa, District Mahasamund
Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through - Station House Officer, Police
Station Patewa, District-Mahasamund Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Sourabh Kumar Sahu, Advocate
For the State	:	Shri D.C. Verma, Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**30/12/2021**

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. 339/2021, registered at Police Station Patewa, 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 22/12/2021, 26.100 bulk liter of country made and foreign liquor has been seized from the illegal possession of applicants.

4. Counsel for the applicants submits that the applicants are innocent and falsely implicated in this case, they are in jail since 22/12/2021, therefore, applicants be released on bail.
5. On the other hand, the State counsel opposes the bail application. He submits that the alleged liquor has been seized from joint possession of the applicants. He further submits that charge-sheet has not been filed, therefore, they may not be granted bail.
6. Considered the submissions made by both the counsel.
7. Considering the facts and circumstances of the case, quantity of liquor seized from the joint possession of the applicants, they are in custody since 22/12/2021, also taking into consideration that applicants are resident of District – Mahasamund (C.G.) as stated by counsel for the applicants, 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)
VACATION JUDGE