

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1251 of 2022**

- Hitesh Meshram S/o Moti Ram Meshram Aged About 33 Years R/o Bhatapara, Charama, Thana Charama, District-Uttar Baster Kanker, Chhattisgarh.

---- Applicant**Versus**

- The State Of Chhattisgarh Through Police Station, Charama District- U.B. Kanker, Chhattisgarh.

---- Respondent**MCRC No. 1284 of 2022**

- Narendra Meshram S/o Neelkanth Meshram Aged About 23 Years R/o Jabranpara, Charama, Thana Charama, District Uttar Baster Kanker Chhattisgarh.

---- Applicant**Versus**

- The State Of Chhattisgarh Through Police Station, Charama District U.B. Kanker Chhattisgarh.

---- Respondent

For Applicants	:-	Ms. Bhavika Kotecha, Advocate
For Respondent-State	:-	Mr. Praveen Shrivastava, PL

Hon'ble Shri Justice N.K. Chandravanshi
Order On Board

28/02/2022

1. Since both the bail applications are arising out of same crime number they are being heard and decided by this common order.
2. These bail applications are filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with Crime No. 17/2022 registered at Police Station Charama, Distt. U.B. Kanker for the offence punishable under Section 34(2) of the C.G. Excise Act.
3. Prosecution story, in brief, is that on 27.1.2022, 12.420 bulk litre of country made liquor was seized from the illegal joint possession of present applicants in Pappu Dhabha. Thereafter, offence was registered.
4. Learned counsel for the applicants argued that the applicants are innocent and have been falsely implicated. He would further submit that applicants are in jail since 27.1.2022, the charge sheet has not been filed yet, conclusion of trial may take considerable time, therefore, they may be released on bail.
5. On the other hand, learned State counsel controverts the submissions made by the learned counsel for the applicants

by stating that applicants are habitual offenders and there are previous criminal antecedents of the applicants under the Excise Act., therefore, they are not entitled to be released on bail.

6. I have heard learned counsel for the parties, perused the case diary and material available on record.
7. Considering the facts and circumstances of the case; further taking into consideration the nature & gravity of the offence; quantity of liquor seized from the possession of the applicants, I am inclined to enlarge the applicants on bail.
8. Accordingly, the present bail applications are **allowed**. It is directed that on each of the applicants furnishing one solvent surety for a sum of Rs. 25,000/- along with one personal bond in the like sum to the satisfaction of the concerned trial Court for their appearance before the concerned Court as and when directed by the said Court, they shall be released on bail.

Certified copy as per rules

SD/-

(N.K. Chandravanshi)
Judge

Ayushi