

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3483 of 2017

1. Trilochan Patel S/o Shri Rushiram Patel, Aged About 54 Years R/o Village-Risora, Police Station Sariya, Tahsil Baramkela, District-Raigarh, Chhattisgarh.
2. Gunu Kand S/o Shri Shatrughan Kand, Aged About 47 Years R/o Village- Komo, Police Station - Ambabhauna, Tahsil- Bhathali, District- Bargarh, Orissa.

---- Petitioner

Versus

1. The State Of Chhattisgarh Through- The Officer In Charge Of Police Station- Pusaur, District- Raigarh, Chhattisgarh.

---- Respondent

For Petitioners
For Respondent/State

Shri Roop Naik, Advocate
Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/05/2017

1. Heard.
2. The applicants have preferred this application filed under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.41/2017 registered in Police Station Sariya , District Raigarh (CG) for the offence punishable under Section 34 (2), 59 (A) of the Chhattisgarh Excise Act for illegally possessing 20.25 liters of liquor.

Applicant No.1 – Trilochan Patel :

3. At the very outset, learned counsel for the applicants seeks permission of this Court to withdraw the bail application in respect of the applicant No.1 – Trilochan Patel with liberty to move a fresh after

seeking instructions about the previous antecedents of the applicant No.1.

4. Accordingly, the bail application in respect of the applicant No.1 **Trilochan Patel** is dismissed as withdrawn with the aforesaid liberty.

Applicant No.2 – Gunu Kand :

5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and considering the fact that the applicant No.2 is in jail since 29-3-2017, this Court is inclined to release him on bail. Accordingly, the application is allowed and the applicant No.2 **Gunu Kand** is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with two sureties to the tune of Rs.25,000/- each to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
6. It is made clear that if the applicant No.2 involves himself in the offence of similar nature in future, this order granting bail to the applicant No.2 shall automatically stand cancelled without further reference to the Bench.

Sd/-

Vacation Judge
Prashant Kumar Mishra

Gowri