

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3042 of 2019**

- Jai Kumar Rajak S/o Late Chandulal Aged About 24 Years (age wrongly mentioned in the impugned order) R/o Bapu Kholi, Police Station Torwa, Bilaspur Tahsil And District Bilaspur Chhattisgarh.

---- Applicant**In Jail****Versus**

- State Of Chhattisgarh Through Police Station Torwa District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	:	Shri Dheerendra Pandey, Advocate.
For Respondent	:	Shri Vimlesh Bajpai, G.A.

Hon'ble Shri Gautam Chourdiya, J**Order On Board****31/05/2019**

The applicant has preferred this application under Section 439 of Cr.P.C. as he is in jail since 9.1.2019 in connection with Crime No.10/2019 registered in Police Station-Torwa, District Bilaspur (CG) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

Allegation against the applicant is that he was found in illegal possession of about 6.120 bulk liters of illicit country-made liquor.

Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 9.1.2019, the offence is triable by the Magistrate and conclusion of trial is likely to take some time.

On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicant has no criminal antecedents.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of liquor, the detention period of the applicant and the fact that conclusion of trial may take some time, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.25,000/- with two sureties for the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. He is directed to appear before the trial Court on each and every date given to him by the said Court, till disposal of the trial.

It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)
V. JUDGE