

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3643 of 2019

- Rajkumar Singh Thakur S/o Bhagwat Singh Thakur Aged About 62 Years R/o Ward No. 03, Gopiband Para, Pandaria, Police Station Pandariya, District Kabirdham Chhattisgarh.

---- Applicant

Versus

- State Of Chattisgarh Through District Magistrate Kabirdham, District Kabirdham Chhattisgarh.

---- Respondent

For Applicant	:	Shri Dharmesh Shrivastava, Advocate.
For Respondent/State	:	Shri Anand Verma, Dy. GA.

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 11.05.2019 in connection with Crime No. 07/2019 registered in Police Station- Excise Circle, Pandariya, Distt. Kabirdham (CG) for the offence punishable under Section 34 (1) & 34 (2) of the CG Excise Act.

Allegation against the applicant is that he was found in illegal possession of 11.520 bulk litre of 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 11.5.2019, and conclusion of trial is likely to take some time.

On the other hand, learned counsel for the State opposes the bail application.

Having heard learned counsel for the parties, having regard to

the facts and circumstances of the case, considering the quantity of illicit 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)
Vacation Judge