

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2320 of 2020

- Sanjay Sidar S/o Shri Devsingh Sidar Aged About 20 Years Caste Gond, R/o Village Kotgarh, Tahsil Basna, Police Station Basna, Civil And Revenue District Mahasamund Chhattisgarh
- Bhim Jagat S/o Shri Gita Prasad Aged About 23 Years Caste Gond, R/o Village Kolihadevri, Tahsil Basna, Police Station Basna, Civil And Revenue District Mahasamund Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station, Basna, Civil And Revenue District Mahasamund Chhattisgarh

---- Respondent

For Applicant/s	:	Shri Sunil Verma, Advocate
For State	:	Shri H.S. Ahluwalia, Dy. A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/04/2020

Heard.

1. The applicants have been arrested in connection with Crime No.172 of 2020 registered at Police Station- Basna, Civil and Revenue District- Mahasamund (CG), for alleged commission of offence under Section 34 (2) of the C.G. Excise Act 1915.
2. Case of the prosecution, in brief, is that from possession of the applicants, 7 bulk litres illicit country made liquor was seized.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated. The applicants are in jail since 20.4.2020 and looking to the nature of allegation, further custodial interrogation may not be necessary. Therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposed the application. He submits that presently, the investigation is going on and charge sheet

has not been filed so far, therefore, at this stage, the applicants may not be released on bail.

5. Taking into consideration that the applicants are in jail since 20.4.2020, the quantity of liquor involved in the case and further considering the submission that custodial interrogation may no longer be necessary, the application is allowed.
6. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.10,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court, with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge