

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2552 of 2020

- Raja @ Rajesh Say, Aged 44 years, S/o Premdas Say, R/o Village- Rasouta, P.S.- Palari, District- Baloda-Bazar, Bhatapara (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through S.H.O., P.S. Palari, District Baloda-Bazar, Bhatapara (C.G.)

---- State/Non-applicant

For Applicant : Shri Hemant Gupta, Advocate

For Non-Applicant/State : Shri H.S. Ahluwalia, Dy. Advocate General

Hon'ble Shri Justice Gautam Chourdiya, J

Order in Chamber

12.05.2020

1. The applicant has preferred this application under Section 439 of Cr.P.C. as he is in jail since 03.05.2020 in connection with Crime No. 174/2020 registered in Police Station- Palari, District Baloda-Bazar, Bhatapara (CG) for the offence punishable under Section 34 (2) of the CG Excise Act.
2. Allegation against the applicant is that he was found in illegal possession of 140 bulk litres of country made liquor.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 03.05.2020, and conclusion of the trial is likely to take some time.
4. On the other hand, learned counsel for the State opposes the bail application.
5. 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 the 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.50,000/- 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.

6. 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)
Judge