

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2527 of 2020**

1. Budaharu @ Uttar Kumar Bhoi S/o Asadahu Bhoi Aged About 40 Years R/o Garhfuljhar, P.S.- Basna, District- Mahasamund (C.G.)

---- Applicant**Versus**

1. State of Chhattisgarh, Through Police Station Gatapar, District- Rajnandgaon (C.G.)

---- Respondent

For Applicant	:	Shri Nasimuddin Ansari, Advocate.
For Respondent/State	:	Shri H.S. Ahluwalia, Deputy A.G.

Hon'ble Justice Shri Gautam Chourdiya**Order in Chamber****12/05/2020**

- 1) The applicant has preferred this application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 22/04/2020 in connection with Crime No. 180/2020 registered at Police Station Basna, District Mahasamund (C.G.) for the offence punishable under Section 34(2) of Chhattisgarh Excise Act.
- 2) Allegation against the applicant is that on 22/04/2020 he was found in illegal possession of 07 bulk Ltrs. of country made liquor.
- 3) Learned counsel for the applicant submits that he has been falsely implicated in this case, he is languishing in jail since 22/04/2020, and conclusion of trial is likely to take some time.
- 4) On the other hand, learned counsel for the respondent/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 trial may take some time, the application is allowed. It is directed that in the event of the 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.
- 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

Chandrakant