

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2547 of 2020

1. Deepak Soni son of Mahendra Soni, aged about 29 years
2. Upendra Soni son of Chandra @ Chandramani Soni, aged about 40 years
Both R/o Village Akharabhatha, P.S. and Tahsil Basna, District Mahasamund (C.G.)

---- Applicants

Versus

- State of Chhattisgarh, Through : The Station House Officer, Police Station Basna, District Mahasamund (C.G.)

---- State/Non-applicant

For Applicants	:	Shri Vaibhav A. Goverdhan, 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 applicants have preferred this application under Section 439 of Cr.P.C. as they are in jail since 30.04.2020 in connection with Crime No. 200/2020 registered in Police Station- Basna, District Mahasamund (CG) for the offence punishable under Section 34 (2) of the CG Excise Act.
2. Allegation against the applicants are that they were found in illegal possession of 210 bulk litres of hand made liquor (*Mahua-liquor*).
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this crime, they are languishing in jail since 30.04.2020, 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 (*Mahua-*

liquor), the detention period of the applicants and the fact that conclusion of the trial may take some time, the application is allowed. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.1,00,000/- with one surety for the like amount to the satisfaction of the concerned trial Court, they shall be released on bail. They are directed to appear before the trial Court on each and every date given to them by the said Court, till disposal of the trial.

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

Sd/-
(Gautam Chourdiya)
Judge