

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2543 of 2020

- Santosh S/o Shri Shobha Ram, aged about 45 years, Caste Gond, R/o Village Jhinkatola, Police Station and Tahsil Dondilohara, District- Balod (C.G.).

---- Applicant (in Jail)

Versus

- State Of Chattisgarh Through: Police Station: Dondilohara, District: Balod (C.G.).

---- Respondent

For Applicant	:	Shri P. K. Patel, Advocate.
For Respondent/State	:	Shri Vikram Sharma, Dy. G.A.

Hon'ble Shri 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 09.04.2020 in connection with Crime No. 105/2020 registered in Police Station- Dondilohara, District: Balod (CG) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. Allegation against the applicant is that he was found in illegal possession of 06.500 bulk liter 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 09.04.2020, and conclusion of 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 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. 25,0000/- 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