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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4128 of 2020**

- Manish Rajput, aged about 36 years, Son of Mr. Ramras Rajput (wrongly mentioned in order-sheet as Ramraj), R/o Village Gataparkala, P.S. & Tehsil-Khairagarh, District Rajnandgaon (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through : The Police Station Dongargarh, District-Rajnandgaon (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Shashank Thakur, Advocate
For Non-Applicant/State	:	Shri Vimlesh Bajpai, Government Advocate

And**M.Cr.C. No. 3531 of 2020**

- Pramod Singh Rajput S/o Gopal Singh Rajput, aged about 35 years, Caste Rajput, R/o Village Gatapar Kala, Tehsil Khairagarh, District Rajnandgaon (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through the Police Station Dongargarh, District-Rajnandgaon (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Shaleen Singh Bhaghel, Advocate
For Non-Applicant/State	:	Shri Vimlesh Bajpai, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****19.11.2020**

1. As both the above applications under Section 439 of Cr.P.C. preferred by the applicants arise out of the same crime number i.e. 168/2020 registered in Police Station- Dongargarh, District Rajnandgaon (CG) for the offence punishable under Section 34 (2) of the CG Excise Act, they are being disposed of by this common order.
2. In this case, on the memorandum of co-accused Manish Soni, 2090.880 bulk litres of foreign liquor was seized by the police. In his memorandum co-accused Manish Soni disclosed the name of applicant Manish Rajput (in M.Cr.C. No. 4128 of 2020), applicant Pramod Singh Rajput (in M.Cr.C. No. 3531 of 2020) and co-accused Ishwar Sahu. Allegation against the present

applicants (Manish Rajput and Pramod Singh Raput) is that they are also involved in the said crime.

3. Learned counsel for the respective applicants submit that the seizure of liquor was made by police from the possession of co-accused namely Manish Soni & Ishwar Sahu and there is no seizure made by the police from the possession of the present applicants. They further submit that the applicants have been falsely implicated in this crime, they are languishing in jail since 21.04.2020 & 18.04.2020 and conclusion of the trial is likely to take some time. Therefore, the applicants be released on bail.
4. On the other hand, learned counsel for the State opposes the bail applications.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the fact that no seizure of liquor was made from the present applicants, the detention period of the applicants and the fact that conclusion of the trial may take some time, without expressing any opinion on merits of the case, the applications are allowed. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.50,000/- with two equivalent sureties for the like amount to the satisfaction of the concerned trial Court, they shall be released on bail. The applicants 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