

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7119 of 2020

- Uttam Vishwas S/o Late Shri Avinash Vishwas, aged about 36 years, R/o Village- Chhotekapasi, Police Station & Tahsil – Pakhanjur, District North Bastar Kanker (C.G.)

---- Applicant

Versus

- The State of Chhattisgarh, Through the Station House Officer Police Station- Pakhanjur, District North Bastar Kanker (C.G.)

---- State/Non-applicant

For Applicant : Shri Sunil Sahu, Advocate

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

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

17.11.2020

1. The applicant has preferred this application under Section 439 of Cr.P.C. as he is in jail since 27.09.2020 in connection with Crime No. 118/2020 registered in Police Station- Pakhanjur, District North Bastar Kanker (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 05.400 bulk litres of foreign liquor.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 27.09.2020, 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 (foreign 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.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