

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7891 of 2020

1. Somu S/o Narottam Navratna, Aged About 20 Years,
2. Rakesh S/o Shiv Kumar, Aged About 20 Years,
R/o Village Baglota, Police Station Bilaigarh, District
Balodabazar-Bhatapara (C.G.).

---- Applicants

Versus

1. State Of Chhattisgarh, Through The Station House Officer,
Police Station Bilaigarh, District Balodabazar-Bhatapara (C.G.).

---- Respondent

For Applicant	: Shri Yogesh Kumar Chandra, Advocate.
For Respondent/State	: Shri Vimlesh Bajpai, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

25/11/2020

- 1) Heard on admission.
- 2) The application is admitted for hearing.
- 3) With the consent of the parties, the matter is heard finally.
- 4) The applicants have preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as they are in jail since 19/10/2020 in connection with Crime No. 202/2020 registered at Police Station Bilaigarh, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34(2) of Chhattisgarh Excise Act.
- 5) Allegation against the applicants is that they were found in illegal possession of 18 bulk Ltrs. country made liquor (Mahuwa).
- 6) Learned counsel for the applicants submit that the applicants innocent and have been falsely implicated in the case, the liquor

has not been seized from the exclusive possession of the applicants but from the open place. The applicants are in jail since 19/10/2020 and conclusion of trial is likely to take some time for its disposal. Therefore, the applicants be released on bail by this Court.

- 7) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 8) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the manner in which the liquor was seized from the applicants, considering the quantity of illicit liquor, the detention period of the applicants and the fact that conclusion of trial may take some time, the application is allowed. It is directed that in the event **each** of the applicants executing a personal **bond** for a sum of **Rs. 50,000/-** with two sureties of Rs. 25,000/- each 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.
- 9) 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