

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7918 of 2020**

1. Rahul Gupta @ Vicky @ Lama, S/o Avadhbihari Gupta, aged about 21 Years, R/o Near Hospital Narmadapur, Mainpaat, Police Station Kamleshwarpur, (wrongly mention in order Narmadapur, District Surguja, C.G.
2. Satruhan Singh Paikra, S/o Late Balam Singh, aged about 23 Years, R/o Village Bergidih, Majhapara, Police Station Lundra, District Surguja Chhattisgarh.

----Applicants

Versus

- State of Chhattisgarh, Through Police Station Sitapur, District Surguja Chhattisgarh.

---- Respondent

For Applicants
For State

Mr. Dashrath Kushwaha, Advocate.
Mr. Veena Nair, Deputy A.G.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****26/11/2020**

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 application under Section 439 of Cr.P.C. as they are in jail since 13.10.2020 in connection with Crime No.159/2020 registered at Police Station- Sitapur, District Surguja, C.G.. for the offence punishable under Section 34 (2) of the C.G. Excise Act.

5. Allegation against the applicants is that they were found in illegal possession of 52.450 bulk litres of foreign made liquor.
6. Learned counsel for the applicants submits that the applicants have been falsely implicated in this crime, they are languishing in jail since 13.10.2020, and conclusion of trial is likely to take some time.
7. On the other hand, learned counsel for the State opposes the bail application.
8. 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 applicants and the fact that conclusion of 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.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