

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8034 of 2020

1. Indrajeet @ Pondu S/o Sushil Dahariya Aged About 21 Years R/o Village Limtara, Police Station Simga, District Baloda Bazar-Bhatapara Chhattisgarh.
2. Dhelu S/o Rajau Nishad Aged About 20 Years R/o Village Limtara, Police Station Simga, District Baloda Bazar-Bhatapara Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Simga, District Baloda Bazar-Bhatapara Chhattisgarh.

---- Respondent

For Applicants	: Shri S.P. Sahu, Advocate
For Respondent/State	: Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

27/11/2020

- 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 16.10.2020 in connection with Crime No. 47/2020 registered at Police Station Simga, District- Baloda-Bazar, Bhatapara (C.G.) for the offence punishable under Section 34(2) of C.G. Excise Act.
- 5) Allegation against the applicant is that he was found in illegal possession of 17.28 bulk Ltrs. liquor.
- 6) Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question, they have

not committed any offence. He further submits that as the applicants have been arrested on 16.10.2020 and trial is likely to take some time for its final 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 of the applicants each of them 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, 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.
- 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**