

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8168 of 2020

1. Khageshwar Sidar @ Karan S/o Jagat Sidar, Aged About 22 Years R/o Village Harda Nawagaon, Police Station Basna, Chowki Bhanwarpur, District Mahasamund Chhattisgarh.
 2. Kartik Ram Tondon S/o Dhaniram Tondon, Aged About 30 Years R/o Village Chhatapathar, Police Station Basna, District Mahasamund Chhattisgarh.
- Applicants**

Versus

- State Of Chhattisgarh Through S.H.O. Police Station Basna, District Mahasamund Chhattisgarh.
- Respondent**

For Applicants	:	Shri Vaibhav A. Goverdhan, Advocate
For Respondent/State	:	Shri Dinesh Tiwari, Dy.G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

02/12/2020

- 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 31.10.2020 in connection with Crime No. 504/2020 registered at Police Station Basna, District- Mahasamund (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act, 1915.
- 5) Allegation against the applicant is that he was found in illegal possession of 17 Ltrs. of countrymade Liquor.
- 6) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, he has not committed any offence. He further submits that as the applicant has been arrested on 31.10.2020 and trial is likely to take some time for its final disposal. Therefore, the applicant 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 applicant, considering the quantity of illicit liquor, the detention period of the applicant and the fact that conclusion of trial may take some time, the application is allowed. It is directed that each of the applicant, in the event of executing their 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 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

Nadim