

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8177 of 2020

1. Sukdev Prabhakar Son Of Tarru Prabhakar, Aged About 64 Years Resident Village Bundeli Outpost Bundeli, Thana Tendukona District Mahasamund (Chhattisgarh).
2. Yoman Lal Prabhakar Son Of Sukdev Prabhakar Aged About 27 Years Resident Village Bundeli Outpost Bundeli, Thana Tendukona District Mahasamund (Chhattisgarh) **---- Applicant**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Tendukona, District- Mahasamund, Chhattisgarh. **---- Respondent**

For Applicant	:	Shri Vikash Pradhan, Advocate
For Respondent/State	:	Shri Rakesh Sahu,

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 26.10.2020 in connection with Crime No. 82/2020, registered at Police Station Tendukona, District Mahasamund (C.G.) for the offence punishable under Section 34(2) of C.G. Excise Act.
- 5) Allegation against the applicants are that they were found in illegal possession of 15 Ltrs. country made liquor.
- 6) Learned counsel for the applicants submits that the applicants have been falsely implicated in crime in question, they have not committed any offence. He further submits that as the applicants have been arrested on 26.10.2020 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 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 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 applicant 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