NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 8393 of 2020

- Mangal Jaiswal, Son of Lal Ji Jaiswal, aged about 31 years, Bhagolipara Newli Nagar, Ward No. 15, Dallirajhara, P.S. Dallirajhara, District Balod (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through : Excise Circle Dallirajhara, District Balod (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Vijay Kumar Sahu, Advocate
For Non-Applicant/State	:	Ms. Veena Nair, Deputy Advocate General

Hon'ble Shri Justice Gautam Chourdiya, J
Order on Board

08.12.2020

1. Heard on admission.
2. The application is admitted for hearing.
3. With the consent of the parties, the application is heard finally.
4. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 02.10.2020 in connection with Crime No. 436/2020 registered in Police Station- Dallirajhara, District Balod (CG) for the offence punishable under Section 34 (2) of the CG Excise Act.
5. Allegation against the applicant is that he was found in illegal possession of 05.400 bulk litres of country made liquor.
6. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 02.10.2020 and conclusion of the 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 applicant, he has no criminal antecedents as admitted by both the counsel and the fact that conclusion of the trial may take some time, without expressing any opinion on merits of the case, the application is allowed. It is directed that in the event of applicant 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. The applicant 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 applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge

vatti