

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8447 of 2020

1. Chandrashekhar S/o Shambhu Lal Angare Aged About 32 Years Resident Of Sohagpur , Op Beladula, Police Station Sarsiwa, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Ishwar S/o Jagatram Aged About 22 Years Resident Of Pachpedi, Op Beladula, Police Station Sarsiwa, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer , Police Station Sarsiwa, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicants	: Mr. Radhvendra Pradhan, Advocate.
For Respondent/State	: Mr.B.P. Banjare, Dy. G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

07/12/2020

- 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, as they are in jail since 09/11/2020 in connection with Crime No. 356/2020 registered at Police Station- Sarsiwa, District Balodabazar-Bhatapara (CG) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
- 5) Allegation against the applicants is that they were jointly found in illegal possession of 40 bulk Ltrs. of hand made liquor(Mahuwa).

- 6) Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated in the crime in question. He further submits that the applicants have been arrested on 09.11.2020 and conclusion of trial is likely to take some time. He also submits that the applicants have no criminal antecedents.
- 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, the detention period of the applicants and the fact that the applicant has no criminal antecedent as admitted by both the counsels and 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