

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9114 of 2020**

1. Dinesh Kumar Miri, S/o Pardeshi Ram Miri, aged about 21 Years, Occupation Labour,
2. Suraj Bareth, S/o Mahettar Bareth, aged about 19 Years, Occupation Labour,

Both are R/o Village Gobarsingha, Police Station Baramkela, District Raigarh Chhattisgarh.

----Applicants

Versus

- State of Chhattisgarh, Through the Station House Officer, Police Station Baramkela, District Raigarh Chhattisgarh.

---- Respondent

For Applicants	Shri Manoj Kumar Jaiswal, Advocate.
For State	Shri Vimlesh Bajpai, Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****15/12/2020**

1. Learned counsel for the applicants submits that the default as pointed out by the Registry has already been removed.
2. Heard on admission.
3. The application is admitted for hearing.
4. With the consent of the parties, the matter is heard finally.
5. The applicants have preferred this application under Section

439 of Cr.P.C. as they are in jail since 24.10.2020 in connection with Crime No.230/2020 registered at Police Station- Baramkela, District Raigarh, C.G. for the offence punishable under Sections 34 (2) and 59(A) of the C.G. Excise Act.

6. Allegation against the applicants is that they were found in illegal possession of 55 bulk litres of country made liquor (*Kachhi Mahuwa*).
7. Learned counsel for the applicants submits that the applicants have been falsely implicated in this crime, they are languishing in jail since 24.10.2020 and conclusion of trial is likely to take some time. He also submits that the applicants have no criminal antecedents.
8. On the other hand, learned counsel for the State opposes the bail application.
9. 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 applicants and the fact that the applicants have no criminal antecedents 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.1,00,000/- with two sureties of Rs.50,000/- 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.

10. 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

Akhilesh