

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8635 of 2020

- Santosh Kumar S/o Sukhaoram Dhruv, Aged About 46 Years, R/o Village Achanakpur, Police Station Bhatapara (Gramin), District Baloda Bazar-Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Bhatapara (Gramin), District Baloda Bazar-Bhatapara Chhattisgarh.

---- Respondent

For Applicant	:	Mr. A.P.Sharma, Advocate.
For Respondent/State	:	Mr. Dinesh R.K. Tiwari, Dy. Govt Advocate.

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 applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, as he is in jail since 14/11/2020 in connection with Crime No. 496/2020 registered at Police Station- Bhatapara (Gramin), District Baloda Bazar-Bhatapara (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
- 5) Allegation against the applicant is that he was found in illegal possession of 32.400 bulk Ltrs. of country made liquor.
- 6) Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in

the crime in question. He further submits that the applicant has been arrested on 14.11.2020 and conclusion of trial is likely to take some time. He also submits that the applicant has no criminal antecedent.

- 7) On the other hand, learned counsel for the respondent/State opposes the bail application. However, he submits that the applicant has no criminal antecedent.
- 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 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 the 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. He 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