

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8838 of 2020**

- David Kurre Son Of Ramesh Kumar Kurre Aged About 23 Years Resident Of Village- Sohagpur, Police Station- Sarsinwa, District- Balodabazar-Bhatapara (Chhattisgarh) **---- Applicant**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Sarsinwa, District- Balodabazar-Bhatapara (Chhattisgarh)

---- Respondent

For Applicant	:	Mrs. Pushplata Khalkho, Advocate.
For State	:	Mr. D.K. Gwalr e, Dy. Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****08-12-2020**

1. Heard on admission.
2. The application is admitted for hearing.
3. With consent of both the parties, the matter is heard finally.
4. Learned counsel for the applicant submits that in the impugned order, crime number 260 of 2020 has wrongly been mentioned and the correct crime number is 362 of 2020.
5. Learned State counsel does not dispute the above fact.
6. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 22-11-2020 in connection with Crime No. 362 of 2020 registered in Police Station- Sarsinwa, District Balodabazar – Bhatapara (CG) for the offence punishable under Section 34(2) of the CG Excise Act.
7. Allegation against the applicant is that he was found in illegal

possession of 60 liters of Mahua liquor.

8. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 22-11-2020 and conclusion of the trial is likely to take some time. He also submits that the applicant has no criminal antecedent.
9. On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicant has no criminal antecedent.
10. 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 the trial may take some time, 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 equivalent 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.
11. 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

Raju