

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 2152 of 2019

1. Pankaj Gupta S/o Shri Durga Prasad Gupta Aged About 38 Years
R/o Gobra Nawapara, Raipur, District Raipur, Chhattisgarh.
2. Raju Gupta S/o Shri Ashok Prasad Gupta Aged About 38 Years R/o
Gobra Nawapara, Raipur, District Raipur, Chhattisgarh.
3. Jugal Gupta S/o Shri Jyotim Prasad Gupta Aged About 34 Years R/o
Gobra Nawapara, Raipur, District Raipur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through- The Station House Officer, Police
Station Gobra Nawapara, District Raipur, Chhattisgarh.

---- Respondent

For Applicants : Mr. C.R. Sahu, Advocate appear through video
conferencing.

For Respondent/State : Mr. V.R. Tiwari, Additional A.G. appear through
video conferencing.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

02/06/2020

1. The applicants have filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as they are apprehending their arrest in connection with crime no. 498/2019, registered at Police Station Gobra Nawapara, Distt. Raipur (C.G.) for the offence punishable under Sections 294, 506, 384, 385, 34 of the IPC.
2. As per prosecution story, on 04.07.2019, Supervisor of liquor shop Gobra Nawapara made a complaint alleging therein that between the period from 01.07.2019 to 30.11.2019, the applicants illegally sold liquor from the said liquor shop and obtained Rs. 60-70,000/- per day from the purchasers by pressurized them. On the basis of said complaint, offence has been registered.
3. Learned counsel appearing on behalf of the applicants submits that

the applicants are innocent and have been falsely implicated in the present case. He further submits that apart from the complaint, there is nothing on record which shows that the applicants have illegally obtained money from the purchasers. *Prima facie* no case can be made out against the applicants. Hence, it is prayed that the applicants may be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties. Without further commenting on merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicants.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicants shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the officer arresting them and they shall abide by all the following terms and conditions:-
 - I. That accused/applicants shall made themselves available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - III. The accused/applicants shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicants shall appear before the Trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge

