

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 349 of 2021

1. Vijay Kumar Yadav, S/o Ram Bisal Yadav, aged about 26 years, Caste Yadav, R/o Village Devada, P.S. Somni, District Rajnandgaon (C.G.)
2. Ramhit Jaiswar S/o Ram Sundar Jaiswar, aged about 50 years, Caste Mochi, R/o Camp No. 1, Shashtri Nagar Ward No. 19, P.S. Supela, District Durg (C.G.)
3. Devendra Kumar S/o Babu Lal Jangde aged about 28 years, R/o Camp No. 1, Shastri Nagar Ward No. 19, P.s. Chhawani, District Durg (C.G.)

---- Applicants

Versus

- State of Chhattisgarh, Through the Police Station Baghnadi, District Rajnandgaon (C.G.)

---- State/Non-Applicant

For Applicants	:	Shri S.S. Baghel, Advocate
For Non-Applicant/State	:	Shri Ajay Kumrani, Panel Lawyer,

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

02.03.2021

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. as they are in jail since 18.12.2020 and 19.12.2020 in connection with Crime No. 60/2020 registered in Police Station- Baghnadi, District Rajnandgaon (CG) for the offence punishable under Section 34 (2) of the CG Excise Act.
2. Allegation against the applicants is that they were found in illegal possession of 225.00 bulk liters of foreign liquor which was being transported by a Car.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this crime, they are languishing in jail since 18.12.2020 & 19.12.2020 and conclusion of the trial is likely to take some time. Therefore, the applicants be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of illicit liquor, detention

period of the applicants, conclusion of the trial is likely to take some, there is no apprehension of the applicants tampering with the evidence or absconding and they have no criminal antecedents as admitted by both the counsel, without expressing any opinion on merits of the case, the bail application is allowed.

6. 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 on the following conditions:-

- i. they 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 from disclosing such fact to the Court.
- ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- iv. they 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.

7. Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicants involving themselves in similar offence in future.

Sd/-
(Gautam Chourdiya)
Judge