

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 957 of 2021**

- Pramod Satnami, S/o Anup Satnami, Aged About 26 Years R/o. Village Kuliabandha, Police Station Beltukri (Nuapada) (Orissa)., District : Nuapada *, Orissa **---Applicant**

Versus

- State of Chhattisgarh, Through - Police Station Excise Circle, Baghbahra, District Mahasamund Chhattisgarh., **---- Non-applicant**

For Applicant : Mr. Shubhank Tiwari, Advocate.

For State : Ms. Seema Dixit, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya

Order on Board**26-02-2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 26-1-2021 in connection with Crime No. 71 of 2021 registered at Police Station Excise Circle, Baghbahra, District Mahasamund (CG) for the offence punishable under Section 34(2) of the CG Excise Act.
2. Allegation against the present applicant is that he was found in illegal possession of 220 bulk liters of country made liquor (Mahuwa).
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the

applicant is in custody since 26-1-2021, charge sheet has been filed and conclusion of the trial is likely to take some time for its final disposal, therefore he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application. However, she submits that the present applicant has one criminal case.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, quantity of illicit liquor, the detention period of the applicant, looking to the age of the applicant who is aged about 26 years and the fact that the offence is triable by the Magistrate and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that it is a fit case to grant bail to the applicant.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his 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. He shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial. The applicant is being granted bail on the following conditions:
 - i. he 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. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- iv. he 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 this court.

Sd/-

(Gautam Chourdiya)
Judge

Raju