

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1102 of 2021**

- Kiran Nayak, D/o Vidya Nayak, aged about 22 Years, Resident of Fish Market Dewar Mohalla, Zone-02 Bhilai, District Durg Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through S.H.O. P.S. Khurshipar, District Durg Chhattisgarh.

----Non-applicant

For Applicant
For State

Mr. A.C. Sahu, Advocate.
Dr. (Ms.) Veena Nair, Deputy A.G.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****15/02/2021**

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 application under Section 439 of Cr.P.C. as she has been arrested in connection with Crime No.30/2021 registered at Police Station Khurshipar, District Durg, C.G. for the offence punishable under Section 34(2) of the C.G. Excise Act.
5. Allegation against the applicant is that she was found in illegal possession of 6.300 bulk litres of country made liquor.
6. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, she is languishing in jail since

14.01.2021 and conclusion of trial is likely to take some time.

7. On the other hand, learned counsel for the State opposes the bail application. However, she submits that the applicant has two criminal antecedents.

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 conclusion of 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.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned trial Court, she shall be released on bail on the following conditions:-

- (i) she 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) she shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.
- (iv) she shall not involve herself 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.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving herself in similar offence in future.

Sd/-
Gautam Chourdiya
Judge