

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1035 of 2021

1. Manish Rajput, S/o Ramraj Singh Rajput, Aged About 35 Years, R/o Village Gataparkala, Police Station and Tahsil Khairagarh, District Rajnandgaon, Chhattisgarh.
2. Pramod Singh, S/o Gopal Singh, Aged About 32 Years, R/o Village Gataparkala, Police Station and Tahsil Khairagarh, District Rajnandgaon, Chhattisgarh. **---- Applicants**

Versus

- State Of Chhattisgarh Through The District Magistrate Rajnandgaon Chhattisgarh. **---- Non-Applicant/State**

For Applicants	:	Shri Shankar Thakur, Advocate
For Non-Applicant/State	:	Smt. Shubha Shrivastava, P.L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

10.02.2021

- 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 applicants have preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as they are in jail since 24.01.2021 in connection with Crime No.39/2021 registered at Police Station Khairagarh, District Rajnandgaon (C.G.) for the offence punishable under Section 34 (2) of C.G. Excise Act.
- 5) Allegation against the applicants are that they were found in illegal possession of 21.600 bulk Ltrs. liquor.

- 6) Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question, they have not committed any offence. He further submits that the applicants have no criminal antecedents and as the applicants have been arrested on 24.01.2021 and trial is likely to take some time for its final disposal. Therefore, the applicants be released on bail by this Court.
- 7) On the other hand, learned counsel for the Non-Applicant/State opposes the bail application, however, the applicants have no criminal antecedent.
- 8) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the manner in which the liquor was seized from the applicants, considering the quantity of illicit liquor, the detention period of the applicants and the fact that the applicants have no criminal antecedent as admitted by both the counsels and conclusion of trial may take some time, the application is allowed.
- 9) It is directed that in the event each of the applicants executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs. 25,000/- each to the satisfaction of the concerned Trial Court, they shall be released on bail, on following conditions :-
 - (a) 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 them from disclosing such fact to the Court.
 - (b) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (c) they shall appear before the trial Court on each and every date given to them by the said Court till

disposal of the trial.

(d) 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.

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

Nadim