

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 2483 of 2021**

1. Govind Prasad S/o Shri Hariram Yadav Aged About 23 Years  
Caste Ahir, Occupation Agriculturist R/o Bandhpara,  
Bachrapondi, Police Station Khadgawan, District Koriya  
Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh
2. Shakti Vishwkarma S/o Shri Chotelal Vishwkarma Aged About 20  
Years Caste Lohar, Occupation Labour , R/o Village Bandhpara  
Jilda, Police Station Khadgawan, District Koriya Chhattisgarh.,  
District : Koriya (Baikunthpur), Chhattisgarh

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through The Station In Charge , Police  
Station Khadgawan , District Koriya Chhattisgarh., District :  
Koriya (Baikunthpur), Chhattisgarh

**--Non-Applicant**

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| For Applicants          | : Shri Anurup Panda, Advocate |
| For Non-Applicant/State | : Ms. Seema Dixit, P.L.       |

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**Hon'ble Justice Shri Gautam Chourdiya**

**Order on Board**

**01.04.2021**

- 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 6.3.2021 in connection with Crime No.80/2021,  
registered at Police Station- Khadgawan, District Koriya (CG) for  
the offence punishable under Section 34(2) of the C.G. Excise  
Act.
- 5) Allegation against the applicants is that they were found in illegal  
possession of 135 bulk Ltrs of foreign Liquor.
- 6) Learned counsel for the applicants submit that the applicants  
have been falsely implicated in the crime in question, they have  
not committed any offence. Learned counsel for the applicants

further submit that the applicants have no criminal antecedent and as the applicants have been arrested on 6.3.2021, therefore, the applicants be released on bail by this Court.

7) On the other hand, learned counsel for the respondent/State opposes the bail application, however, he submits that 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 applicant, 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. It is directed that in the event each of the applicant 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 the 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.

Sd/-  
**(Gautam Chourdiya)**  
**Judge**

