

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3097 of 2021**

- Sanjeet Sana Alias Lambu, S/o Ranjeet Sana, aged about 35 Years, R/o Village Bodegaon, Police Station Aundhi, Tehsil Manpur, District Rajnandgaon, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through the Police Station Aundhi, District Rajnandgaon, Chhattisgarh.

----Non-applicant

For Applicant	Shri Shaleen Singh Baghel, Advocate.
For State	Shri Adil Minhaj, Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

15/06/2021

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.01/2021 registered at Police Station Aundhi, District Rajnandgaon, C.G. for the offence punishable under Section 34(2) of the C.G. Excise Act.
3. Case of the prosecution, in brief, is that on 26.01.2021, 702 bulk litres of foreign liquor was seized from the courtyard of co-accused Jayram Dugga and 180 bulk litres of liquor was seized from the co-accused Anutosh Mandal which was kept in vehicle Bolero bearing registration No.CG-13U-7-183. The

applicant herein is the registered owner of the said vehicle and he is alleged to have been involved with the co-accused persons in selling the liquor illegally by transporting the same from the other State.

4. Learned counsel for the applicant submit that the applicant has been falsely implicated in this crime, he is languishing in jail since 11.04.2021 and conclusion of trial is likely to take some time. Therefore, applicant be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicant has no criminal antecedent.
6. 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, who is 35 years old and the fact that the applicant has no criminal antecedent and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel 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.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned trial Court, he shall be released on 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 strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) he shall not involve himself in any offence of similar nature in future.

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 himself in similar offence in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh