

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1278 of 2021

1. Siyaram Verma S/o Gayadeen Aged About 28 Years R/o Village Gopalpur Police Station Budhar District Shahdol (M.P.), District : Shahdol, Madhya Pradesh
2. Kailash Rajpal S/o Buddhu Rajpal Aged About 38 Years R/o Village Jamna Coalery Police Station, Bhalumada District Anuppur (M.P.), District : Anuppur, Madhya Pradesh

---- Applicants

Versus

State Of Chhattisgarh, Through Police Chowki Belgahana P.S. Kota, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

--Non-Applicant

For Applicants	: Shri S.K. Verma, Advocate
For Non-Applicant/State	: Shri Vaibhav Singh, P.L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

22/02/2021

1. The applicants have preferred this first bail application under Section 439 of Code of Criminal Procedure, 1973 as they are in jail since 30.9.2020 in connection with Crime No.392/2020, registered at Police Station- Police Choki Belgahana, P.S. Kota, District Bilaspur(CG) for the offence punishable under Sections 34(2), 59(A) of C.G. Excise Act.
2. Allegation against the applicants is that they were found in illegal possession of 60 bulk liters of country made Liquor.
3. Learned counsel for the applicants submit that the applicants have been falsely implicated in the crime in question and they have not committed any offence. He further submits that the applicants have no criminal antecedents and they have been

arrested on 30.9.2020; yet charge sheet has not been filed and trial is likely to take some time for its final disposal, therefore, the applicants may be released on bail by this Court.

4. On the other hand, learned counsel for the respondent/State opposes the bail application, however, he submits that the applicants have no criminal antecedent.
5. 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 counsel 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.1,00,000/- with two sureties of Rs.50,000/- 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.

Sd/

(Gautam Chourdiya)
Judge