

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8084 of 2020**

- Ishwar Uraon S/o Sukra Uraon, Aged About 40 Years R/o Urdana Raigarh, Tehsil And District Raigarh Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kotwali, Raigarh, District Raigarh Chhattisgarh

---- Respondent

For Applicant	:	Shri Manish Upadhyay, Advocate
For State	:	Shri Lalit Jangde, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****18/02/2021**

Heard.

1. The applicant has been arrested in connection with Crime No.721/2020 registered at Police Station – Kotwali, District – Raigarh (C.G.) for alleged commission of offences under Section 34 (2) & 59 (A) of CG Excise Act.
2. Prosecution case is that from the possession of the applicant, 105 litres of mahua liquor was seized.
3. Learned counsel for the applicant would submit that the applicant is a tribal and they are entitled to prepare liquor at the local level up to certain quantity but a false case has been prepared against him. He submits that investigation is complete and charge sheet has been filed and the applicant is in jail since 03/10/2020, therefore, at this stage, the applicant may be granted bail.
4. On the other hand, learned State counsel opposes prayer and submits that *prima facie* case is made out in view of seizure of country made liquor from the possession of the applicant.

5. Taking into consideration the submission of learned counsel for the parties, particularly the nature of allegations, maximum sentence which can be imposed, period of pre-trial detention and that the applicant is in jail since 03/10/2020, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the Trial Court on the condition that -

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) He shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge