

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7661 of 2021

- Vedant Chourasiya S/o. Shri Gopal Singh Sethiya, aged about 22 years R/o. Kohka, Housing Board Bhilai, Tahsil & District Durg (C.G.)
---- Applicant

Versus

- The State of Chhattisgarh, Through the Station House Officer Police Station – Kota, Police Outpost- Belgahna, District Bilaspur (C.G.)
---- State/Non-Applicant

For Applicant	:	Shri Sunil Sahu, Advocate
For Non-Applicant/State	:	Dr.(Ms.) Veena Nair, Deputy Advocate General

Hon'ble Shri Justice Gautam Chourdiya, J
Order on Board

29.09.2021

1. Heard.
2. Admit.
3. With the consent of learned counsel for the parties, the matter is heard finally.
4. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 18.07.2020 in connection with Crime No. 291/2020 registered in Police Station Kota, Police Outpost- Belgahna, District Bilaspur (C.G.), for the offence punishable under Sections 34 (2), 42 & 59 (A) of the CG Excise Act.
5. Allegation against the present applicant is that he alongwith other co-accused persons was found in illegal possession of 189.00 bulk liters of foreign liquor.
6. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding, he is in jail since 18.07.2020 and trial is

likely to take some time for its final disposal. Therefore, the applicant be released on bail by this Court. He also submits that co-accused namely Komeswar Prasad Sonwani has already been granted regular bail by this Court vide order dated 29.01.2021 passed M.Cr.C. No. 578 of 2021 and further that other co-accused namely Vakil Yadav and Baljeet Singh have also already been granted regular bail by the coordinate bench of this Court vide orders dated 23.12.2020 & 10.12.2020 passed in M.Cr.C. No. 6222 of 2020 & M.Cr.C. No. 5532 of 2020.

7. On the other hand, learned counsel for the Non-Applicant/State opposes the bail application and submits that the present applicant has no criminal antecedents.
8. 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 22 years old, the fact that the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding as admitted by both the counsels and conclusion of trial may take some time, further that the co-accused persons have already been granted regular bail by this Court and by coordinate bench of this Court, without commenting anything on merits of the case, the bail application is allowed.
9. 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 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/her 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 not involve himself in any offence of similar nature in future.

10. 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 nature of offence.

Sd/-
(Gautam Chourdiya)
Judge

vatti