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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 9007 of 2020**

1. Bhoj Mahobiya S/o Kishore Mahobiya, aged about 27 years, R/o Village: Kandara Para, Ward No. 19, Dongargarh, Police Station: Dongargarh, District Rajnandgaon (C.G.)
2. Karan Singh Thakur S/o Shanker Singh Thakur, aged about 26 years, R/o Baihatola, Ward No. 6, Dongargarh, District Rajnandgaon (C.G.)

---- Applicants

Versus

- State of Chhattisgarh, Through: Station House Officer, Police Station: Bortalab, District Rajnandgaon (C.G.)

---- State/Non-applicant

And**M.Cr.C. No. 9142 of 2020**

- Bheshaj Kumar Sahu @ Golu @ Goldi Sahu, S/o Ramkishan Sahu, aged about 23 years, R/o Indira Nagar, Ward No. 5, Dongargarh, Police Station: Dongargarh, District Rajnandgaon (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through: Station House Officer, Police Station: Bortalab, District Rajnandgaon (C.G.)

---- State/Non-applicant

For Applicants	:	Shri Anil Tawadkar, Advocate
For Non-Applicant/State	:	Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****12.01.2021**

1. As both the above first bail applications under Section 439 of Cr.P.C. preferred by the applicants arise out of the same crime number i.e. 52/2020 registered in Police Station- Bortalab, District Rajnandgaon (CG) for the offence punishable under Section 34 (2) of the CG Excise Act, they are being disposed of by this common order.
2. Allegation against the applicants is that the applicants were found in illegal possession of 315 bulk liters of foreign liquor which was being illegally transported in white coloured Scorpio bearing registration No. CG 08 A J 1023 from Madhya Pradesh.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this crime, he is languishing in jail since 11.11.2020 and conclusion of the trial is likely to take some time. Therefore, the applicants be released on bail.
4. On the other hand, learned counsel for the State opposes the bail applications.
5. 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 applicants, that they are the first offenders, there is no apprehension of the applicants tempering with the evidence or absconding and also they have no criminal antecedents as admitted by both the counsel, without expressing any opinion on merits of the case, the applications are allowed.
6. It is directed that in the event of each of the applicants 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, they shall be released on bail on the following conditions:-
 - i. 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 him from disclosing such fact to the Court.
 - ii. They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
 - iv. 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