

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9373 of 2020**

- Pankaj Jaggi S/o Darshan Lal Jaggi Aged About 45 Years R/o Om Shree Complex, Near Vip Estate, Khamardih, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- applicant

Versus

- State Of Chhattisgarh Excise Circle Abhanpur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	: Mr. Trivikram Naik, Advocate
For State	: Ms. Shobha Shrivastava, P. L.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****15/01/2021**

1. Heard.
2. The applicant has preferred this application under Section 439 of Cr.P.C. as he is in jail since 27.11.2020 in connection with Crime No. 57/2020 registered at Police Station- Excise Circle, Abhanpur, District- Raipur (C.G.) C.G. for the offence punishable under Section 34 (2) of the C.G. Excise Act.
3. Allegation against the applicant is that he alongwith co-accused was found in illegal possession of 27 bulk liters of foreign liquor (Mcdowell's No. 1 whisky, Royal Stag & Royal Challenge Whisky).
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 27.11.2020 and conclusion of trial is likely to take some time. He also submits that the applicant has no criminal antecedent. He lastly submits that the other co-

accused namely Bhavesh Patel has been granted bail by this Court vide order dated 16.12.2020 in MCRC No. 9199 of 2020, therefore, the applicant be released on bail by this Court.

5. On the other hand, learned counsel for the State opposes the bail application. She 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, the other co-accused has been granted bail by this Court and the fact that the applicant has no criminal antecedent as admitted by both the counsels and that conclusion of trial may take some time, without commenting on merits of the case the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs. 50,000/- with two sureties of Rs. 25,000/- 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 not involve himself in any offence of similar nature in future.

Certified copy as per rules

Sd/-

Gautam Chourdiya
Judge