

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 2333 of 2020**

1. Rajeshwar Chelak, S/o Ashok Chelak, Aged About 22 Years, R/o Indira Colony, Balodabazar, District- Balodabazar-Bhatapara (CG)
2. Manoj Kurre, S/o Late Premdas Kurre, aged 39 years, R/o Indira Colony Balodabazar, District- Balodabazar-Bhatapara (CG)

**---- Applicants**

**Versus**

State Of Chhattisgarh through the Station House Officer, P.S.- City Kotwali District- Balodabazar, (CG)

**---- Respondent**

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For Applicants	:	Shri Suresh Kumar Verma, Advocate
For State	:	Shri H.S. Ahulwalia, Dy. A.G.

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**S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**30/04/2020**

Heard.

1. The applicants have been arrested in connection with Crime No.250 of 2020 registered at Police Station- City Kotwali Balodabazar, District- Balodabazar-Bhatapara (CG) for alleged commission of offence under Section 34 (2) of the C.G. Excise Act 1915.
2. Case of the prosecution, in brief, is that from possession of the applicants, 32 bulk litres illicit country made liquor was seized.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated. The applicants are in jail since 18.4.2020 and looking to the nature of allegation, further custodial interrogation may not be necessary. Therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposed the application. He submits that presently, the investigation is going on and charge sheet

has not been filed so far, therefore, at this stage, the applicants may not be released on bail.

5. Taking into consideration that the applicants are in jail since 18.4.2020, the quantity of liquor involved in the case and further considering the submission that custodial interrogation may no longer be necessary, the application is allowed.
6. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.10,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court, with following further conditions:
  - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
  - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

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