

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3330 of 2022**

- Sunil Mishra @ Golu @ Sohail Khan S/o Dhirendra Mishra Aged About 32 Years R/o Mahamaya, P.S. Mahamaya, Tehsil Daundi, District Balod (C.G.) Present R/o Village Chichbod P.S. And District Balod (C.G.)  
**--- Applicant.**

**Versus**

- State Of Chhattisgarh Through S.H.O Police Station Balod District - Balod (C.G.)  
**--- Respondent.**

*CAUSE TITLE TAKEN FROM CIS PERIPHERY*

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For Applicant	:	Ms. Priya Sharma, Adv.
For Respondent/State	:	Mr. Roshan Dubey, PL.

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**Hon'ble Shri Justice Deepak Kumar Tiwari**

**Order On Board**

**29.04.2022**

This application under Section 439 Cr.P.C. for grant of bail has been filed by the accused/applicant who has been arrested on 20.03.2022 in connection with Crime No.127/2022 registered at Police Station Balod, District Balod for the offence punishable under Section 34(2) of the CG Excise Act.

2. According to the prosecution case, total 5.760 bulk liters country made liquor was seized from the illicit possession of the applicant.

3. Learned counsel for the applicant submits that the accused/applicant is innocent and has been roped in a false case. She relying on the contents the application and submits that the applicant is in jail since 20.03.2022 and final conclusion of the trial is likely to take considerable period therefore, the accused/applicant may be set at liberty by granting bail. It is submitted that the applicant would abide by all terms and conditions imposed on him while granting bail.

4. *Per contra*, learned State counsel opposes the bail application. It is submitted by the State counsel that there is nothing in the case

diary to indicate his criminal antecedent.

5. Having heard the parties, considering the facts and circumstances of the case, keeping in view the liquor recovered and period of custody, I deem it appropriate to release the applicant on bail. Accordingly, the application is **allowed** and it is directed that on applicant's furnishing a personal bond in the sum of Rs.25,000/- with **one** surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail on the following conditions:-

- (a) he shall not act in any manner which will be prejudicial to fair and expeditious trial,
- (b) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of case,
- (c) the applicant and the surety shall submit a copy of their Aadhar Card along with a coloured postcard full size photo having printed the Aadhar number on it, which shall be verified by the concerned trial Court.
- (d) he shall not involve himself in any offence of similar nature in future.

Sd/-  
(Deepak Kumar Tiwari)  
Judge

*Ajay*