

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 497 of 2015**

Vijay Chadda, Aged About 33 years S/o Shri Surendra Mohan Chadda R/o  
App.No.604, H.R Towers, P.S.- Tikrapara, District- Raipur, Chhattisgarh

**---- Applicant**

**Versus**

State Of Chhattisgarh Through: P.S.- Vidhan Sabha, District- Raipur

**---- Respondent**

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| For Applicant        | : | Shri Devershi Thakur with Shri Amin Khan, Advocates. |
| For Respondent/State | : | Shri Manish Nigam, Panel Lawyer.                     |

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**Order On Board**

**03/07/2015**

Heard.

This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No.55/2015, registered in Police Station- Vidhan Sabha, District-Raipur, for alleged commission of offence under Sections 34 (2) of the C.G. Excise Act.

Case of the prosecution, in brief, is that in the matter of transportation of liquor, the applicant is also involved.

Learned countess for the applicant submits that till now in the investigation, no clinching material has been collected by the prosecution to involve the applicant in the alleged commission of offence. He submits that the co-accused who was found with the liquor has already been granted regular bail by the Court below and only on suspicion, the applicant has been made accused.

On the other hand, learned counsel for the State submits that from the inquiry made so far, it has been found that the liquor was being transported for supply to the petitioner.

Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration that there is no specific material to connect the applicant with the alleged commission of offence, I am inclined to allow the

application.

The application is accordingly allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the arresting officer on his furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer with following further conditions that:

- (i) the applicant shall make himself available for interrogation by the police officer as and when required;
- (ii) the applicant 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 facts to the Court or to any police officer;

Certified copy as per rules.

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

Praveen