

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4401 of 2016**

- Manharan Lal, aged about 55 years, son of Sunder Lal, resident of Bharari, Police Station-Ratanpur, District-Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : Station House Officer, Police Station Ratanpur, District-Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Varunendra Mishra, Advocate.
For Respondents/State	:	Shri B. Gopa Kumar, Deputy AG

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****01/09/2016**

1. Heard.
2. This is second bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail filed by the applicant, who has been arrested in connection with Crime No. 18/2016, registered at Police Station Ratanpur, District Bilaspur (C.G.) for the offence punishable under Sections 34(1)(a) & 34(2) of the Chhattisgarh Excise Act.
3. The first bail application of the applicant was rejected more than three and half months back, i.e., 17.05.2016.
4. Case of the prosecution, in brief is that 117 bulk liters of liquor was seized from the possession of the present applicant.

5. Learned counsel for the applicant submits that the applicant has falsely been implicated in the case, and therefore, the applicant may be released on bail. The petitioner is in jail since 17.01.2016, i.e., for about eight and half months.

6. On the other hand, learned counsel for the State opposes the bail application.

7. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and considering the length of pretrial detention of the applicant and that the offence is triable by the Judicial Magistrate First Class, this Court is inclined to release him on regular bail.

8. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

9. Certified copy as per rules.

Sd/-
Judge
Prashant Kumar Mishra