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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5446 of 2016

- Permeshwar Yadav @ Bharat S/o Late Shivnandan Yadav Aged about 58 Years R/o Village Nagchui, Police Chouki Junapara, Thana Takhatpur, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Chowki Junapara, Tahsil Takhatpur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant — Mr. Ravindra Sharma, Advocate
For Respondent/State — Mr. P.K. Bhaduri, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

30/8/2016

1. Heard.
2. This the second 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.89/2016, registered at Police Choki Junapara, Tahsil Takhatpur, District Bilaspur (C.G.) for the offence punishable under Sections 34(2) and 59(a) of the Excise Act.
3. The first bail application of the applicant was dismissed, as

withdrawn on 17.05.2016 with liberty to move again after 03 months.

4. Case of the prosecution, in brief, is that 10.8 bulk liters of illicit liquor was seized by the police from the 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.
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, 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)

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