

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2630 of 2017**

- Rohit Chandrakar S/o Bijul Chandrakar, Aged about 45 Years, R/o Village Khusrupali, Thana and Tahsil Bagbahra, District- Mahasamund (Chhattisgarh). ---- **Applicant**

Versus

- State of Chhattisgarh Through: Station House Officer, Police Station- Bagbahra, District- Mahasamund (Chhattisgarh). ----**Non-applicant**

For Applicant	:-	Shri Vikash Pradhan, Advocate.
For the State/Respondent	:-	Shri Majid Ali, Panel Lawyer

SB: Hon'ble Shri Justice Rajendra Chandra Singh Samant**Judgement on Board****29-05-2017**

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail in connection with Crime No.68/2017, registered at Police Station Bagbahara, District Mahasamund for offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution in brief is that 330.660 bulk liters of illicit country made liquor was found from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case due to political reasons. The bail applications have been rejected by the Courts below. He is a local resident of Bagbahara, District Mahasamund and shall be abide by the directions and conditions imposed by this Court with respect to bail. The applicant is in jail since 03-04-2017 and therefore, he may be released on bail.
4. On the other hand, learned State counsel has opposed the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of this case, it appears that it is a fit case where the applicant should be extended benefit of bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed, the applicant shall be released on bail, subject to following conditions :
 1. That, the applicant shall furnish a specific undertaking that while on bail, he will not commit any excise offence, otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.
 2. That the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/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/her from disclosing such facts to the Court or to any police officer.
 3. That, the accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial.

Sd/-
(Rajendra Chandra Singh Samant)
Vacation Judge