

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2687 of 2017**

- Rajendra @ Chhotu Thakur S/o Late Vijay Singh Thakur, Aged about 25 Years, R/o Near Railway Crossing, Ward No. 10, Tumgaon Chowk, Mahasamund, District Mahasamund (Chhattisgarh). ---- **Applicant**

**Versus**

- State of Chhattisgarh Through the Police Thana - Mahasamund, District Mahasamund (Chhattisgarh). ----**Non-applicant**

For Applicant :- Shri Deepak Jain, Advocate.  
 For the State/Respondent :- Shri Anant Bajpai, Panel Lawyer

**SB: Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**30-05-2017**

1. Heard on application under Section 439 of the Code of Criminal Procedure, 1973 filed by the applicant for releasing him on regular bail.
2. It is submitted by learned counsel for the applicant that the accused/ applicant has been arrested in connection with Crime No.185/2017, registered at Police Station Mahasamund, District Mahasamund (C.G.) for offence punishable under Section 34(2) of the Chhattisgarh Excise Act, on 01-04-2017 and committed to custody. It is also submitted that the applicant is a local resident of District Mahasamund and is willing to abide by the conditions imposed upon him for grant of bail. Charge-sheet has been filed and the case before the trial Court is likely to take some time for its disposal. Hence, the applicant may be enlarged on bail.
3. On the other hand, learned State counsel has opposed the bail application.
4. I have heard learned counsel appearing for the parties and perused the case diary of Crime No.185/2017 of Police Station Mahasamund.
5. On 01-04-2017 in total 7 bulk liters of illicit country liquor was seized from the possession of the applicant. The case has been registered,

investigated, charge sheet has been filed. Considering that the applicant is a local resident of District Mahasamund, the case before the trial Court is likely to take some time for its disposal and no purpose will be served to keep the applicant in custody, therefore, it is a fit case where the applicant should be extended benefit of bail.

6. 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**