

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4488 of 2017**

- Trilochan Patel S/o Shri Rushiram Patel, Aged About 54 Years
R/o Village Risora, Police Station Sariya, Tahsil Baramkela,
District Raigarh, Chhattisgarh.

---- Petitioner

Versus

- The State Of Chhattisgarh Through The Officer In Charge Of
Police Station Pusaur, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	Mr. Roop Naik, Advocate
For Respondent /State	Mr. R. Tripathi, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**21/7/2017**

1. Heard.
2. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.41/2017, registered at Police Station Sariya, District Raigarh (CG) for the offence punishable under Sections 34(2), 59(A) of the C.G. Excise Act, for illegally possessing 20.25 litres of country made liquor.
3. The first bail application of the applicant was dismissed, as withdrawn with liberty to move afresh after seeking

instructions about the previous antecedents of the applicant.

4. It is argued by learned counsel for the applicant that previously, for the offence under Section 354 of IPC, the applicant was convicted, however, the said conviction is under challenge before this Court in Criminal Revision No.545/2005. He further argues that out of two other cases under the Excise Act, the applicant has already been acquitted in one case and the other case is still pending trial.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and considering the pre-trial detention of the applicant since 29.3.2017, this Court is inclined to release him on bail. 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 for the like amount 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. It is made clear that if the applicant involves himself in the offence of similar nature in future, this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

6. Certified copy as per rules.

Sd/-

Judge

(Prashant Kumar Mishra)