

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 309 of 2018

Trilochan Dansena S/o Dlarsingh, aged about 36 years, R/o Village Barbhouna,
P.S. Chhal, Tah. Kharsia, District- Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through the Station House Officer, Police Station Chhal,
District- Raigarh (C.G.).

---- Respondent

For Applicants	:	Mr. M.K. Jaiswal, Advocate
For Respondent	:	Mr. Sumit Jhanwar, PL

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

27/04/2018

1. Heard.
2. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.19/2018 registered at Police Station- Chhal, District- Raigarh (C.G.) for the offence punishable under Sections 39 (2) and 59 (A) of the Chhattisgarh Excise Act..
3. Case of the prosecution in brief is that it is alleged that on 12/02/2018, at about 6:30 pm, on the basis of information received from the informant, raid was conducted and 25 bulk litres of country made liquor was seized from the possession of the accused- Janak Ram Rathore. The allegations against the present applicant is that he was was also present with accused- Janak Ram and fled away from the spot.
4. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case, no recovery has

been made from his possession, even he was not present at the spot, therefore, he may be extended the benefit of anticipatory bail.

5. On the other hand, learned counsel appearing on behalf of the State has opposed the bail application and submitted that the present applicant was present with the co-accused and since he fled away from the spot, therefore, no recovery could be made from him.
6. Considering the facts and circumstances of the case, particularly, considering that no recovery has been made from the present applicant and on the basis of memorandum statement of co-accused this applicant has been implicated, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, MCRCA No. 309/2018 is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on each of his furnishing a bond in the sum of Rs.10,000/- with one surety each for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:
 - i. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
 - ii. 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;
 - iii. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - iv. The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
9. Certified copy, as per rules.

Sd/-
Judge
Arvind Singh Chandel