

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2155 of 2018

- Uttam Bandhey S/o Deenanath Bandhey, Aged About 28 Years, R/o Village Bandarpuri, Police Station Arang, Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Excise Circle Arang, Police Station Arang, in the Revenue and Civil District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Janak Ram Verma, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. His first bail application, MCRC No.7756 of 2017 was dismissed as withdrawn on 05-02-2018. The applicant has been arrested on 28-09-2017 in connection with Crime No.140/2017 registered at P.S. Arang, District Raipur, Chhattisgarh for the offence under Section 34(1) and 34(2) of the Excise Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 28-09-2017, i.e., since more than 6 months and the trial against him is still not concluded. Further, no case is made out against this applicant. Hence, it is prayed that he may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. 253.980 bulk liter foreign liquor was found in possession of this applicant which was seized on the basis that the applicant had no authority to keep the

same in his possession. Hence, this case.

6. Considered on the facts and circumstances of this case. As the applicant is in jail since more than 6 months and the trial against him is still not concluded, hence, for these reasons, I am of this view that this applicant should be released on bail during pendency of the trial against him.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his 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.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge