

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C. No. 2001 of 2018**

- Dashrath Yadav S/o Late Bindu Yadav Aged About 37 Years R/o- Shivaji Ward, Ravanbhatha, Mungeli, Tahsil And District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- City Kotwali, District- Mungeli, Chhattisgarh., District : Mungeli,.

**---- Respondent**

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| For Applicant  | : | Mr. Akhil Mishra, Advocate   |
| For Respondent | : | Ms. Smita Ghai, Panel Lawyer |

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

**Order on Board**

**26.03.2018**

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for grant of regular bail. The applicant has been arrested on 27.02.2018 in connection with Crime No. 120/2018 registered at P.S. - Kotwali, District – Mungeli, Chhattisgarh, for the offence under Section 34(A), 59 (A) of the C.G. Excise Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in custody since 27.02.2018. Hence, he may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that 39 quarters liquor in total 7.020 bulk liters illicit liquor has been seized from the possession of the applicant. Also, against this applicant 07 previous cases are registered

against him, 05 cases of under various provisions of IPC and preventive in nature, and two cases are under the provision of C. G. Excise Act. Hence, he is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.
5. In reply learned counsel for the applicant submits that the applicant was on bail in all the previous cases registered against him.
6. Considering the submissions made by learned counsel, contents of the case diary and looking to the facts of this case, I am of the view that it is a fit case where the applicant is entitled for grant of bail.
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.

**Sd /-**

**(Rajendra Chandra Singh Samant)**  
Judge