

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4216 of 2018

- Rakesh Verma S/o Sonsai Verma, Aged About 27 Years By Caste Lodhi, R/o Village Karela, Chowki Mohara, Thana And Tahsil Dongargarh, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

----Applicant

Versus

- The State Of Chhattisgarh Through District Magistrate, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Shri Parag Kotecha, Advocate
For State	:	Shri Sangharsh Pandey, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/06/2018

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.23 of 2018, registered at Police Station-Excise Circle, Dongargarh, Distt. Rajnandgaon (CG), for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.
2. Case of the prosecution, in brief, is that the applicant was found selling 9 liters of illicit liquor.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has falsely been implicated in crime in question. He is in custody since 27/05/2018.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard counsel appearing for the parties and perused the case

diary.

6. Taking into consideration the nature and gravity, facts and circumstances of the case, looking to the quantity of liquor seized from the custody of the applicant and pre-trial detention and considering the principles of law laid down in **Banti Singh v. State of Chhattisgarh** (M.Cr.C. No.6846 of 2014, decided on 05.01.2015), I am of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. 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:

- 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.
- 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.
- That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

Certified copy as per rules.

Sd/-

(**Sanjay K. Agrawal**)
Vacation Judge