

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5720 of 2018

- Kumod Bhagat S/o Jogender Bhagat Aged About 22 Years R/o- Village-Tersin, P.S. Sareen, District- Mujaffarpur (Bihar) Present Address- Village Punjipathara Tahsil Gharghoda Civil And Revenue District- Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Exise Circle Gharghoda, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Shri Ashutosh Mishra, Advocate.
For Respondent/State	: Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

21/08/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 22/2018, registered at Police Station Excise Sub Inspector Circle, Gharghoda, District Raigarh (C.G.) for the offence punishable under Section 34(1) A (2), 59 (A) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on the basis of information received from the informant on 12.07.2018, Police authority searched the shop of the applicant in which 12.780 bulk litres of foreign liquor was found from the possession of the present applicant and he has been arrested on 12.07.2018.
3. Shri Ashutosh Mishra, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case. He further submits that the applicant has no criminal antecedent, he is in custody since 12-07-2018 and

trial will likely to take some time, therefore, applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant has no criminal antecedent, he is in custody since 12-07-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge