

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5664 of 2018

- Chandrahas Yadav S/o Punit Ram Yadav, Aged About 40 Years, R/o- Village Bhoyana, Police Station Arjuni, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Arjuni, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

----Non-applicant

For Applicant – Shri Anil Gulati, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-08-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 16-07-2018 in connection with Crime No.235/2018 registered at P.S. - Arjuni, District- Dhamtari, Chhattisgarh for the offence under Section 34(2) of C.G. Excise Act (in short '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 16-07-2018. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 6.48 bulk liter illicit liquor has been seized from the possession of the applicant. Also, there are three previous cases under the provisions of the Excise Act registered against this applicant. Hence, he is not entitled for grant of bail.
4. Heard learned counsel for both the parties and perused the case diary.
5. Considered on the submissions made and the contents of the case

diary. Though three previous cases under the provisions of the Excise Act have been reported against this applicant, but conviction or acquittal of the applicant in those cases has not been reported, further, in the present matter detention of the applicant till conclusion of the trial would not serve any purpose. Hence, for these reasons, I am of the view that the application deserves to be allowed.

6. 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.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge