

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5822 of 2018

- Jagtu Ram Barman S/o Shri Mohit Barman Aged About 35 Years R/o- Village- Gerwani, Police Station- Punjipathra, Tahsil And District- Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- S.H.O. Of The Police Station- Punjipathra, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Shri Abhishek Saraf, Advocate.
For Respondent/State	: Shri Vaibhav Goverdhan, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

05/09/2018

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. 97/2018, registered at Police Station Punjipathra, District Raigarh(C.G.) for the offence punishable under Sections 34(2) & 59 (A) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 31.07.2018, on the basis of information received from the informant, Police authority searched the applicant and total 14.500 bulk litres of country made liquor was seized from the possession of the present applicant and he was arrested on 31.07.2018.
3. Shri Abhishek Saraf, 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 is in custody since 31-07-2018 and trial will likely to take some time to conclude, 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 is in custody since 31-07-2018 and trial will likely to take some time to conclude, without further commenting on merit 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. 20,000/- 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