

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5856 of 2018

- Nikesh @ Balku @ Golu Koal, S/o Ashok Koal, Aged About 23 Years, R/o- Chakarbhata, Police Station Chakarbhata, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, Through- Police Station House, Police Station Chakarbhata, District- Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Sunanda Tiwari, Advocate.
For Respondent/State	:	Shri Vaibhav Goverdhan, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

23/08/2018

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. 201/2018, registered at Police Station Chakarbhata, District - Bilaspur (C.G.) for the offence punishable under Section 34(2) and 59(a) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on the basis of information received from the informant on 21.07.2018, Police authority searched the applicant and seized 6.660 bulk litres of country made liquor from the possession of the present applicant. He has been arrested on 21.07.2018.
3. Ms. Sunanda Tiwari, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case. She further submits that the applicant is in custody since 21.07.2018 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 is in custody since 21.07.2018, charge-sheet has already been filed and trial will likely to take some time, 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. 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