

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.6010 of 2018**

Joedha Sahu, S/o Shri Bhagwandin, aged about 40 years, R/o Village Rounakanpa, Police Station and Tahsil, District – Bilaspur, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, P.S. Takhatpur, District - Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Shri Tarun Dansena, Advocate.
For Respondent/State	: Shri Vaibhav Goverdhan, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

04/09/2018

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. 313/2018, registered at Police Station Takhatpur, District – Bilaspur (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. As per the prosecution story, on the basis of information received from the informant on 02.08.2018, Police parties searched and seized 14.00 bulk litres of country made liquor from the possession of the applicant. The applicant was arrested on 02.08.2018.
3. Shri Tarun Dansena, 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 seized liquor was only 14.00 bulk litres and there is no criminal antecedent of the applicant. He further submits that the applicant is in custody since 02-08-2018 and trial will likely to take some more time, therefore, he 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 and perused the case diary.
6. Considering the facts and circumstances of the case, further considering the quantity of seized liquor, detention period of the applicant and the fact that the applicant is in custody since 02.08.2018 charge sheet has not been filed yet, therefore, trial will likely to take some more time, without further commenting on merit of the case, I am inclined to release him 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**