NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6096 of 2018

Bhagirathi S/o Vishal Bhaskar, aged about 59 years R/o Pratappur, Police Station- Pandatari, Tahsil Pandariya, District- Kabirdham (Chhattisgarh)

--- Applicant

Versus

State of Chhattisgarh, Through- Excise Circle, Pandariya District- Kabirdham (C.G.).

---- Respondent

For Applicant	:	Mr. Lav Kushwaha, Advocate on behalf of Mr. K.P.S. Gandhi, Advocate
For Respondent	:	Mr. S.R.J. Jaiswal, PL

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 the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 20/2018 registered at Police Station- Excise Circle Pandariya District- Kabirdham (C.G.) for the offence punishable under Sections 34 (1) and 34 (2) of the Chhattisgarh Excise Act.

2. As per prosecution story, on 04/08/2018 on the basis of information received from the informant, the police party searched and seized 6.300 bulk liters of country made liquor from illegal possession of the applicant. The applicant was arrested on 04/08/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated. He is in custody since 04/08/2018 and he has no criminal antecedent, therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.

5. I have heard learned counsel for both the parties.

6. Considering the entire facts and circumstances of the case, particularly considering that the applicant is in custody since 04/08/2018 and he has no criminal antecedent, 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

Rahul