

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6118 of 2018

- Vidya Tamrakar S/o Baijnath Tamrakar Aged About 47 Years R/o Venkatnagar Road, Pendraroad, P. S. Pendraroad District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kota Police Chowki Belgahna District Bilaspur Chhattisgarh

---- Respondent

For Applicant	: Shri Umakant Singh Chandel, Advocate.
For Respondent/State	: Shri SRJ Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

07/09/2018

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. 325/2018, registered at Police Station Kota, Police Chowki Belgahna, District Bilaspur (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 06.08.2018, Police personnels have searched the vehicle no. M.P.18 C 5249 which was driven by the applicant in which 6.300 foreign liquor was seized from the possession of the present applicant and he was arrested on 06-08-2018.
3. Shri Umakant Singh Chandel, 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 has no criminal antecedent, he is in custody since 06-08-2018 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 has no criminal antecedent, he is in custody since 06-08-2018 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