

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.6282 of 2018**

Vikash Yadav, Aged About 23 Years, S/o Shri Pancham Yadav, R/o- Village Mungeshar, P.S. Mandir Hasaud, Raipur, Tahsil and District- Raipur, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through- P.S. Mandir Hasaud, Raipur, Chhattisgarh

---- Respondent

For Applicant	: Ms. Laxmeen Kashyap, Advocate.
For Respondent/State	: Shri Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/09/2018

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. 222/2018, registered at Police Station Mandir Hasaud, Raipur (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 15.07.2018, Police party raided and searched the applicant and seized total 6.480 bulk litres of country made liquor from the possession of the applicant. The applicant has been arrested on 15.07.2018.
3. Ms. Laxmeen Kashyap, 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 seized liquor was only 6.480 bulk litres and there is only two criminal antecedent of the applicant. She further submits that the applicant is in custody since 15-07-2018 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 15.07.2018 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. 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.
9. In case, if any crime of same nature is registered against the applicant in future, the instant bail order shall automatically be dismissed without further reference to this Bench.

Sd/-
(Arvind Singh Chandel)
Judge