

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6577 of 2018**

Vikram Sagar, Aged About 42 Years, S/o Late Shri Samaru Sagar, R/o- Kalibadi,
Nehru Nagar, Tahsil and District : Raipur, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through- S.H.O. Police Station- City Kotwali, District :
Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Pushkar Sinha, Advocate.
For Respondent/State	:	Shri Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

18/09/2018

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. 281/2018, registered at Police Station city Kotwali, District – Raipur (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on the basis of information received from the informant on 20.08.2018, Police party searched the applicant and seized 5.580 bulk litres of country made liquor from the possession of the accused/applicant. He has been arrested on 20.08.2018.
3. Shri Pushkar Sinha, 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 5.580 bulk litres and there are four criminal antecedent of the applicant. He further submits that the applicant is in custody since 20.08.2018 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 that there is four criminal antecedent of the applicant related to same nature of crime.
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 20.08.2018, charge-sheet has not been filed yet, therefore, 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 applicants shall be released on bail on executing a personal bond for a sum of Rs. 50,000/- with two local sureties each of Rs. 25,000/- to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge