

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6815 of 2018

- Indresh Kumar S/o Tularam Aged About 26 Years R/o Village- Chouha, Post- Tikari, P.S.- Malhar, Tahsil- Masturi, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Masturi, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Jitendra Shukla, Advocate.
For Respondent/State	: Shri Bhaskar Pyashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

24/09/2018

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. 356/2018, registered at Police Station Masturi, District Bilaspur (C.G.) for the offence punishable under Sections 34(1) (A), 34 (2), 59 (A), 38 & 39 of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 23.08.2018, on the basis of information received from an informant, police personnels searched the co-accused namely Subhash Singh and total 16.920 bulk litres of country-made liquor has been seized from his possession. Allegedly the said liquor was illegally purchased by the co-accused from the present applicant and the applicant has been arrested on 23-08-2018.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the co-accused Subhash Singh has already granted bail by this Court vide order dated 24-09-2018 passed in M.Cr.C. No. 6656/2018, applicant is in custody since 23-08-2018 and

trial will take some time. 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 the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the co-accused Subhash Singh has already granted bail by this Court, applicant is in custody since 23-08-2018 and trial is likely to take some time, without further commenting on merits 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 solvent 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