

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6986 of 2018

- Litesh Kumar Sahu S/o Jwala Prasad Sahu Aged About 27 Years R/o Village Tikri, Police Station Arjunda, Civil And Revenue District Balod Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Arjunda, District Balod Chhattisgarh

---- Respondent

For Applicant	: Shri Purnendra Khichariya, Advocate.
For Respondent/State	: Shri Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

22/10/2018

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. 85/2018, registered at Police Station Arjunda, District Balod (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 28.08.2018, on the basis of information received from an informant during patrolling, police personnels searched the Indica Car bearing registration no. CG 08 1757 and total 5.400 bulk litres of country made liquor has been found and seized from the possession of the present applicant and he has been arrested on 28-08-2018.
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 applicant is in custody since 28-08-2018 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 and submits that the applicant has two criminal antecedents.

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 applicant is in custody since 28-08-2018 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