

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6873 of 2018

Itawari Satnami S/o Shri Kholi Ram Satnamik, aged about – 45 years, Caste- Satnami, R/o Village- Jamgahan, Police Station- Malkharoda, Civil & Revenue District- Janjgir-Champa (C.G.).

--- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Excise Fly Squad, Janjgir (Wrongly mentioned through- The District Magistrate Janjgir) Civil & Revenue District- Janjgir-Champa (C.G.).

---- Respondent

For Applicant	:	Mr. Paras Mani Shrivastava, Advocate
For Respondent	:	Mrs. Smita Ghai, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

01/10/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 213/2018 registered at Police Station- Excise Fly Squad, Janjgir (C.G.) for the offence punishable under Sections 34(1) (A), 34 (2) & 59 (A) of the Chhattisgarh Excise Act.
2. As per prosecution story, on 18/08/2018 on the basis of information received from the informant, the police party searched and seized 10 bulk liters of country made liquor from illegal possession of the applicant. The applicant was arrested on 18/08/2018.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated. He is in custody since 18/08/2018 and he has no criminal antecedent of the similar nature, therefore, the applicant 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 both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the applicant is in custody since 18/08/2018 and he has no criminal antecedent of the similar nature, 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

Rahul