

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6982 of 2018

- Santram Gond S/o Shri Balaram Gond Aged About 52 Years By Caste Gond, R/o Village Bhithidih, Thana And Tahsil Pithoura, Civil And Revenue Distt. Mahasamund Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Pithoura, Civil And Revenue Distt. Mahasamund Chhattisgarh

---- Respondent

For Applicant	: Shri Sumit Shrivastava, Advocate.
For Respondent/State	: Ms. Smita Ghai, Panel Lawyer.

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 Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 154/2018, registered at Police Station Pithoura, District Mahasamund (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 03.09.2018, during patrolling, police personnels searched the motor cycle bearing registration No. CG 06 ZE- 4523, present applicant and co-accused person namely Samaru Yadav were seated on the said motor-cycle. After being searched, 10 bulk litres of country-made liquor has been found and seized from the joint possession of the present applicant and co-accused person Samaru Yadav. Applicant has been arrested on 03-09-2018.
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 has no criminal antecedent, he is in

custody since 03-09-2018 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 applicant has no criminal antecedent, he is in custody since 03-09-2018 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