

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7043 of 2018**

Hemlal Nayak S/o Govind Singh, aged about 35 years, Cast- nayak, R/o Village- Katghari, Police Station & Tahsil- Akaltara, District- Janjgir-Champa (C.G.).

**--- Applicant**

**Versus**

State of Chhattisgarh, Through- the District Magistrate, District- Janjgir-Champa (C.G.).

**---- Respondent**

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| For Applicant  | : | Mr. C.P. Lahare, Advocate |
| For Respondent | : | Mr. Vivek Singhal, PL     |

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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. 227/2018 registered at Police Station- Akaltara, District- Janjgir-Champa (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per prosecution story, on 14/08/2018 on the basis of information received from the informant, the police party searched and seized 5.400 bulk liters of country made liquor from illegal possession of the applicant. The applicant was arrested on 14/08/2018.
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 14/08/2018 and he has no criminal antecedent of the similar nature, 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 both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the applicant is in custody since 14/08/2018 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