

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7766 of 2018

- Manoj Kumar Dhirahhe S/o Vishal Dhirahhe Aged About 27 Years R/o Palari, Thana Palari District Baloda Bazar Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Kasdol Balodabazar Bhatapara Chhattisgarh.

---- Respondent

For Applicant	: Ms. Supriya Upasane, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

26/10/2018

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. 498/2018, registered at Police Station Kasdol, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 25.09.2018, on the basis of information received from an informant, police personnels conducted the raid and searched the applicant and co-accused namely Gulab Chand and total 25.920 bulk litres of country made liquor has been seized from their possession and they have been arrested on 25.09.2018.
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 co-accused Gulab Chand has already granted benefit of bail by this Court vide order dated 11.10.2018 passed in M.Cr.C. No. 7566/2018, present applicant has no criminal antecedent,

he is in custody since 25-09-2018 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 co-accused Gulab Chand has already granted benefit of bail by this Court, applicant has no criminal antecedent, he is in custody since 25-09-2018 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