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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8035 of 2018

- Gend Lal Goyal/Satnami, S/o Late Bisesar Satnami/Goyal, aged about 45 years, R/o Village-Kopra, Police Station & Post Office-Panduka, District-Gariyaband (C.G).

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station – Panduka, District- Gariyaband (C.G.)

---- Respondent

For Applicant : Shri Shivendu Pandya, Advocate.
For Respondent/State : Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

30/10/2018

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. 159/2018, registered at Police Station – Panduka, District- Gariyaband (C.G.) for the offence punishable under Section 34 (2) of C.G. Excise Act.

2. As per the prosecution story, on 15.09.2018, on the basis of information received from an informant, police personnels searched the applicant and total 5.760 bulk litres of country made liquor has been seized from his possession and he has been arrested on 15.09.2018.

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 four previous criminal record and in all the cases he has already been acquitted, he is in custody since 15.09.2018 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 and perused the case diary with due care.

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 15.09.2018 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

Shubham