

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8932 of 2018

- Badri Prasad Jangadhe S/o Samaru Jangadhe Aged About 41 Years
R/o Village Rampur Polic Station And Tahsil Palari , District Baloda
Bazar Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Excise Circle Baloda Bazar District
Baloda Bazar-Bhatapara Chhattisgarh.

---- Respondent

For Applicant	: Shri SP Sahu, Advocate.
For Respondent/State	: Shri Rajkumar Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

26/11/2018

1. The applicant has preferred this Second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 68/2018, registered at Police Station Excise Circle, District Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Section 34(1) (A), 34(2) & 59-A of the C.G. Excise Act.
2. First bail was dismissed for want of prosecution vide order dated 31.10.2018 passed in M.Cr.C No. 8113/2018.
3. As per prosecution story, on 01.10.2018, on the basis of information received from an informant, excise officials searched the house of the applicant and total 10 bulk litres of country made liquor has been seized from his possession and he has been arrested on 01.10.2018.
4. Learned counsel appearing on behalf of the Applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that the Applicant has one previous criminal record, he is in custody since 01.10.2018 and trial will take some time,

therefore, he may be released on bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for both the parties.
7. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the Applicant is in custody since 01.10.2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. 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 local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)**

Judge