

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1083 of 2019**

- Dinesh Dahire S/o Shri Sameen Dahire Aged About 40 Years R/o Village Pathartal, Thana Lalpur, Tahsil Lormi, Civil and Revenue District : Mungeli, Chhattisgarh.

---- Applicant**Versus**

- The State of Chhattisgarh Through The Station House Officer, Police Station Lalpur, Tahsil Lormi, Civil and Revenue District : Mungeli, Chhattisgarh.

---- Respondent

For Applicant	: Shri Sunil Sahu, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**11/03/2019**

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. 16/2019, registered at Police Station – Lalpur, District- Mungeli, (C.G.) for the offence punishable under Sections 34 (2), 59 (A) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 30.01.20019, on the basis of information received from an informant, police personnels searched the Applicant and his field and total 5.250 bulk litres of country-made liquor has been seized from his possession and he has been arrested on 30.01.2019..
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 is in custody since 30.01.2019 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 and submits that the Applicant has total five previous cases of same nature.

5. However, Counsel for the Applicant submits that out of total five previous cases, the Applicant has already been acquitted from three cases.
6. I have heard learned Counsel for the parties and perused the diary.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the small quantity of the seized liquor, Applicant is in custody since 30.01.2019 and trial is 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 solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge