

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1593 of 2019

- Ravi Jaiswal S/o Jailal Jaiswal Aged About 36 Years R/o Bhattatola - Gourela, Police Station - Gourela, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Gourela, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Shri Yogendra Chaturvedi, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

19/03/2019

1. The Applicant has preferred first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 60/2019, registered at Police Station – Gourela, District- Bilaspur, (C.G.) for the offence punishable under Section 34 (2), 59(A) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 20.02.2019 on the basis of information received from an informant, police personnels searched Applicant and total 6 bulk litres of country-made liquor has been seized from his possession and he has been arrested on 20.02.2019.
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 charge-sheet has not been filed, he is in custody since 20.02.2019 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 there are total two cases of previous antecedents of same type of crime.

5. However, Counsel for the Applicant submits that both the aforesaid cases are still pending and trial is going on.
6. I have heard learned Counsel for the parties.
7. 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 20.02.2019 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