

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2267 of 2019**

- Rakesh Kumar Chandrakar, S/o Bharat Lal Chandrakar, aged about 35 years, R/o House No. 329, Kisungarh, P.S. & Tahsil Pandariya, District-Kabirdham, (.C.G.).

---- Applicant**Versus**

- State of Chhattisgarh Through the Police Station Excise Circle Pandariya, District Kabirdham, (.C.G.).

---- Respondent

For Applicant	: Shri Varindra Pratap Singh, Advocate.
For Respondent/State	: Shri Amit Singh, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

22/04/2019

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. 65/2019, registered at Police Station – Excise Circle Pandariya, District - Kabirdham, (C.G.) for the offence punishable under Sections 34 (1) (A) & 34 (2) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 19.03.2019, on the basis of information received from an informant, police personnels searched Applicant and total 16.200 bulk litres of country-made liquor has been seized from his possession and he has been arrested on 19.03.2019.
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, Applicant is in custody since 19.03.2019 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 seventeen previous cases registered against the present Applicant.

5. However, Counsel for the Applicant submits that the cases pending against the Applicant have already been disposed of and at present there is no any case pending against the him.
6. I have heard learned Counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the quantity of the seized liquor, Applicant is in custody since 19.03.2019 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