

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2743 of 2019**

- Shailesh Yadav S/o Late Udayram Yadav Aged About 36 Years R/o Dewarapara, Rajim, Police Station and Post Office Rajim, District Gariyaband, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Rajim District Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate.
For Respondent/State	: Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**07/05/2019**

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. 56/2019, registered at Police Station – Rajim, District – Gariyaband, Chhattisgarh, for the offence punishable under Section 34 (2) of the C.G. Excise Act.
2. As per the prosecution story, on 02.03.2019, on the basis of information received from an informant, police personnel searched the Applicant and total 7.230 bulk liters of country-made liquor has been seized from his possession. On the basis of the said, offence has been registered. The Applicant has been taken into custody on 02.03.2019.
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 Applicant is in custody since 02.03.2019 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 is one previous case of same nature pending against the Applicant.
5. I have heard learned Counsel for the parties and perused the case diary.
6. 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 02.03.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
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 concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge