

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2655 of 2019**

Safik Khan S/o Late Hikmat Ullah Khan, Aged About 32 Years R/o Village Teganmada, Chowki Belgahana, Police Station Kota, District Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Chowki Belgahana, Police Station Kota, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Utkal Pradhan, Advocate
For Respondent/State	: Ms. Smriti Shrivastava, Panel Lawyer.

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. 159/2019, registered at Police Chowki- Belgahana, Police Station- Kota, District- Bilaspur (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act, 1915.
2. As per prosecution story, on 31.03.2019, on the basis of information received from an informant, police officials searched and seized total 25 bulk litres of country-made liquor from the possession of the present applicant. On the basis of the said, offence has been registered. The applicant has been taken into custody on 31.03.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. He further submits that the Applicant is in custody since 31.03.2019 and trial is likely to take some time, therefore, the Applicant may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application. He further submits that the Applicant has two more criminal antecedents therefore, the Applicant shall not be released on bail.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, particularly considering the seized quantity of liquor and the fact that he is in custody since 31.03.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant 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