

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2872 of 2019**

Ratan Lal Madhumatake, S/o Late Mullu Madhumatake, aged about 40 years, R/o Ravidas Chowk Karbala, P.S. City Kotwali, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- The Police Station City Kotwali, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pravin Kumar Tulsyan, Advocate
For Respondent/State : Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

13/05/2019

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. 126/2019, registered at Police Station- City Kotwali, District- Bilaspur (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per prosecution story, on 09.04.2019, on the basis of information received from informant police officials searched and seized total 5.7 bulk litre 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 09.04.2019.
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 09.04.2019. He also submits that charge sheet is not filed 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. State counsel submits that there are previous four cases of NDPS Act registered against the applicant.
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 small quantity of liquor and the fact that he is in custody since 09.04.2019 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 personal bond for a sum of Rs.20,000/- with one local solvent surety to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge