

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 692 of 2019**

Narendra Verma S/o Shiv Prasad Verma Aged About 43 Years R/o A.D.F, 1-54, Rai Pinki City, Borda Kala, Kolad Road, Bhopal, Madhya Pradesh.,
District : Bhopal, Madhya Pradesh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Bande
District Uttar Bastar, Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Respondent

For the Applicant : Shri Rajeev Shrivastava, Advocate.
For the Respondent/State : Shri Rahim Ubwani, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****17.05.2019**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.

2. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicant who is apprehending arrest in connection with Crime No. 69 of 2015, registered at Police Station – Bande, District – Uttar Bastar, Kanker, Chhattisgarh for the offence punishable under Section 34(2) of the Excise Act, 1915.

3. It is submitted by counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. 85 bulk liters of foreign liquor was seized from one abandoned vehicle. In this

connection, the applicant is facing apprehension without any reason. There is no evidence against the applicant. Hence, it is prayed that the applicant be benefited with grant of anticipatory bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect.

5. Heard counsel for both the parties and perused the case diary.

6. The police personnel of police station Bande, District North Bastar, Kanker made a seizure of 85 bulk liters of foreign liquor from a vehicle which was found in abandoned condition it is on suspicion, this applicant is being traced and searched that he may be the owner of the said liquor. Hence, this case.

7. After perusing the evidence present in the case-diary, I am of the considered view that the present is a fit case where the applicant should be benefited with grant of anticipatory bail.

8. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the Officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. He shall also abide by the following conditions:

- '(i) that the applicant shall make himself available for interrogation before the Investigating Officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.'

Sd/-

(Rajendra Chandra Singh Samant)
Judge