

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3012 of 2019

Durga Uike S/o Rakesh Uike, Aged About 20 Years R/o Matkodvapara Ayodhya Nagar, Changorabhatha, Police Station D.D. Nagar Raipur, District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station D.D. Nagar, Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Tarun Dansena, Advocate
For Respondent/State	: Mr. Amit Singh, 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. 113/2019, registered at Police Station—D.D. Nagar, Raipur, District- Raipur (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act, 1915.
2. As per prosecution story, on 29.03.2019, on the basis of information received from an informant, police officials searched and seized total 5.400 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 29.03.2019.
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 29.03.2019 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 one more previous antecedent of same nature 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 small quantity of liquor and the fact that he is in custody since 29.03.2019 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