

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3422 of 2019**

Hari Prasad Basore S/o Hirau Basore, aged about 42 years R/o Lalpur Ward No. 12, Police Station and Tahsil Manendragarh, District Koriya (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Manendragarh, District- Koriya (C.G.)

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate
For Respondent	:	Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Parth Prateem Sahu

Order on Board

03/06/2019

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 140/2019 registered at Police Station Manendragarh, District Koriya (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per prosecution story, on 20/04/2019 on the basis of information received from the informant, the police officials made a raid and seized total 10 bulk liters of country made liquor from the illegal possession of the Applicant which he was carrying in a bag.
3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. He further submits that the alleged liquor has not been seized from the exclusive possession of the Applicant. He prays that the Applicant may be released on bail.

4. Counsel appearing on behalf of the State opposes the bail application and submits that there is one criminal case registered against the Applicant for the offence punishable under Section 380 of the IPC which is pending against him.
5. I have heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, particularly considering the quantity of liquor and the Applicant is in jail since 20/04/2019, 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 surety of Rs. 10,000/- and a personal bond in the like sum amount to the satisfaction of the concerned Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
(Parth Prateem Sahu)
Vacation Judge