

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3505 of 2019**

Dinesh Khande S/o Andhu Das @ Juthel, aged about 32 years R/o Village-Sonbandha, P.S. Takhatpur, Distt. Bilaspur (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through P.S Takhatpur, Distt. Bilaspur (C.G.).

---- Respondent

For Applicant	:	Mr. Ravindra Sharma, Advocate
For Respondent	:	Mr. Raghvendra Verma, 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. 141/2019 registered at Police Station Takhatpur (C.G.) for the offence punishable under Sections 34 (2) and 59 (a) of the Chhattisgarh Excise Act.
2. As per prosecution story, on 10/05/2019 on the basis of information received from the informant, the police official made a search at Village Sonbandha, Takahatpur and seized total 115 bulk liters of country made liquor from the illegal possession of the Applicant.
3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated. He further submits that the alleged liquor has not been seized from the exclusive possession of the Applicant as there are other family members of the Applicant residing in the same house. He further submits that the Applicant is first offender and there is

no criminal record registered against him.

4. Counsel appearing on behalf of the State opposes the bail application and submits that the quantity of liquor is much more, therefore, the bail application may be rejected. However, he admits the fact that there is no previous criminal track record against the Applicant.
5. I have heard learned counsel for the parties.
6. Looking to the facts and circumstances of the case, particularly, looking to the fact that the Applicant is first offender and he is in jail since 10/05/2019, 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. 25,000/- 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