

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6536 of 2019

- Surendra Badeak (Sidar) S/o Bhajo Badeak, aged about 45 years R/o Village Koreadadar Block Vidhan Sabha, Lailunga Tehsil & District Raigarh (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O. Chakradhar Nagar District Raigarh (C.G.)

---- Respondent

For Applicant : Mr. Krishna Tondon, Advocate.
For Respondent/State : Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/10/2019

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. 316/2019, registered at Police Station – Chakradhar Nagar District Raigarh C.G. for the offence punishable under Sections 34 (1)(a) and, 59(A) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 01.09.2019, on the basis of information received from an informant, police personnels searched and seized total 12 bulk litres of country-made liquor has been seized from his possession and he has been arrested on 01.09.2019.
3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that he is in custody since 01.09.2019, charge-sheet has not been filed yet and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution, and further considering that the applicant is in jail since 01.09.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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 Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge