

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6561 of 2019

- Jagatu Ram Khunte S/o Shri Budau Ram Aged About 47 Years R/o Village-Khisora, Charpara, Ward No. 16, Police Station-Balauda, Civil And Revenue District- Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through- The Station House Officer, Excise Circle Akaltara, Civil And Revenue District- Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant : Shri Paras Mani Shriwas, Advocate.
For Respondent/State : Shri Subham Verma, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

17/10/2019

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. 80/2019, registered at Police Station – Excise Circle Akaltara, District- Janjgir-Champa, (C.G.) for the offence punishable under Sections 34 (1), (A), 34 (2) and 59 (A) of the Chhattisgarh Excise Act.
2. As per the prosecution story, on 19.09.2019, on the basis of information received by informant police personnels searched the Applicant and total 10 bulk litres of country-made (Mahua) liquor has been seized from his possession and he has been arrested on 19.09.2019.
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 the Applicant has no criminal antecedent, he is in

custody since 19.09.2019, 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 the fact that the Applicant has no criminal antecedent, he is in custody since 19.09.2019 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