

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9257 of 2018

- Prem Kumar Sahu S/o Late Jaynarayan Sahu Aged About 49 Years
R/o Village Farsha Shirimkela, Police Station Duldula, District Jashpur
Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Officer-In-Charge Police Station
Duldula District Jashpur Chhattisgarh.

---- Respondent

For Applicant	: Shri SK Sahu, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

02/01/2019

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. 55/2018, registered at Police Station – Duldula, District Jashpur (C.G.) for the offence punishable under Section 34 (2) of the C.G. Excise Act.
2. As per the prosecution story, on 31.10.2018, on the basis of information received from an informant, police personnels searched the house of the Applicant and total 15 bulk litres of country made liquor has been seized from his possession and he has been arrested on 31.10.2018.
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 six previous criminal record out of which one case is pending and in other five cases Applicant has already been acquitted, he is in custody since 31.10.2018 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 and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 31.10.2018 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