

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.2438 of 2020**

- Dhaneshwar Sidar S/o Chakradhar Sidar Aged About 28 Years R/o Village Baghot, PS Dabhra, District Janjgir-Champa Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Thana In-Charge, PS Kotra Road, District - Raigarh Chhattisgarh.

---- Respondent

For Applicant : Shri Rajendra Tripathi, Advocate
 For respondent/State : Smt. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****07.5.2020**

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.85/2020 registered at Police Station Kotra Road, Distt. Raigarh Chhattisgarh for the offence punishable under Section 34(2) & 59(A) of the Chhattisgarh Excise Act.

2. Case of the prosecution, in brief, is that 12 bulk liters of illicit liquor was seized by the police from the present applicant.

3. Learned counsel for the applicant submits that the applicant is in detention since 26.4.2020. He further submits that applicant has been falsely implicated in the case, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard the counsel appearing for the parties.

6. Without commenting on merits, considering the totality of the facts and circumstances of the case, quantity of liquor and also considering the fact that the applicant is in detention since 26.4.2020 this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
JUDGE