

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2462 of 2020

Vijay Hembram @ Birsa S/o Ramdas Hembram Aged About 32 Years R/o Village Taraimal, Police Station Punjipathara, District Raigarh, Civil And Revenue District Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Officer-In-Charge, Police Station - Punjipathara, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ashutosh Mishra, Advocate appears through video conferencing.
For Respondent/State	: Mr. Alok Bakshi, Additional Advocate General appears through video conferencing.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

08/05/2020

1. The matter is heard through video conferencing.
2. 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. 87/2020, registered at Police Station Punjipathara, District Raigarh (C.G.) for the offence punishable under Sections 34(2) & 59 (A) of the Chhattisgarh Excise Act.
3. As per the prosecution story, on the basis of information received from an informant, police personnels searched the applicant and total 11 bulk litres of country-made liquor has been seized from his possession and he has been arrested on 29.04.2020.
4. Learned counsel appearing on behalf of the applicant through video conferencing 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 29-04-2020, charge-sheet has not been filed yet, therefore, trial will take some time. Hence, it is prayed by him that the applicant may be released on bail.

5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. 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 29-04-2020 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. 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