

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2472 of 2020

Dewanand Patel Son Of Shri Puruyshottam Patel Aged About 50 Years Sub Inspector, Patan, District Durg Chhattisgarh. Permanent R/o Govindpur, Kanker, District North Bastar Kanker Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Charama, District Kanker Chhattisgarh.

--- Respondent

For Applicant	: Mr. Mukesh Shrivastava, 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. 84/2020, registered at Police Station Charama, District Kanker (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. As per the prosecution story, on 27.04.2020, on the basis of information received from an informant, police personnels searched the applicant and total 55 bulk litres of country-made liquor has been seized from the possession of applicant and other co-accused persons and they have been arrested on 27.04.2020 itself.
4. Learned counsel appearing through video conferencing on behalf of the applicant submits that the applicant is innocent and has been

falsely implicated in the present case. He further submits that the applicant is suffering from brain tumor, he is a government employee and is in custody since 27-04-2020. The Counsel further submits that the 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, evidence collected by the prosecution and further considering the fact that the applicant is in custody since 27-04-2020 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