

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2489 of 2020**

Manohar Markam S/o Shri Poonaram Markam, Aged About 36 Years
Caste Gond R/o Village Muddhova, Chouki Halba, P.S. Narharpur,
District Uttar Bastar Kanker Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer Police Chouki
Halba, Police Station Narharpur, District Uttar Bastar Kanker
Chhattisgarh.

---- Respondent

For Applicant : Mr. Rajkumar Pali, Advocate.
For Respondent/State : Mr. Vimlesh Bajpai, G.A.

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. 55/2020, registered at Police Station–Narharpur, Chouki Halba, District: Uttar Bastar Kanker (C.G.) for the offence punishable under Section 34 (2) of C.G. Excise Act.
3. As per the prosecution story, on 29.04.2020, on the basis of information received from informant, police officials searched and seized total 20 Litres of country-made hand-made alcohol namely *Mahuaa* from the possession of the present Applicant. On the basis of said, offence has been registered. The Applicant is in custody since 29.04.2020.
4. 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 antecedents, he is in custody since 29.04.2020, charge sheet has not been filed and trial is likely to take some time. Therefore, he 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 the applicant has no criminal antecedent, he is in custody since 29.04.2020, charge sheet has not been filed and trial will 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