

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2481 of 2020**

Nilambar Behra S/o Shri Heeradhar Behra aged about 22 years R/o Village Khairjiti, Thana & Tahsil Saraypali, Distt. Mahasamund (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, P.S. Saraypali, Distt. Mahasamund (C.G.)

---- Respondent

For Applicant	:	Mr. Sumit Sharma, Advocate
For Respondent	:	Mr. Sudeep Agrawal, Dy. Advocate General

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 the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 109/2020 registered at Police Station Chowki Baloda Sarayapali, Distt. Mahasamund (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. As per the prosecution story on 06/04/2020 a secret information was received in police station, Saraypali that the applicant has kept illegal liquor. The police officials made a search and the applicant was found in possession of 30 bulk liters of country made liquor, which was seized from his possession. The applicant was arrested on 06/04/2020.

4. Counsel appearing 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 in custody since 06/04/2020, there is no criminal antecedent against the applicant, charge-sheet has not been filed and the trial will take time, therefore, the applicant may be released on bail.
5. Counsel appearing on behalf of the State also opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Considering the entire facts and circumstances of the case, particularly that the applicant is in custody since 06/04/2020, charge-sheet has not been filed and trial will likely to take time, without further commenting on merit 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 his executing a personal bond for a sum of Rs. 20,000/- with one 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