

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Order Sheet****Proceedings through Video Conferencing****Misc. Criminal Case No.2652 of 2021**

- Chandra Kumar Kanwar, Son of Shiv Singh Kanwar, aged about 25 years, R/o Village Jawali, Police Station Bankimongara, Tahsil Katghora, District Korba (CG).

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Deepka, District Korba (CG).

---- Non-applicant

 For Applicant : Shri Basant Kaiwartya, Advocate
 For respondent/State : Shri Krishna Kant Banjare, Panel Lawyer

Hon'ble Shri Justice NK Chandravanshi**Order On Board****12.5.2021**

1. Heard.
2. Admit.
3. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 26.03.2021 in connection with Crime No.86/2021 registered at Police Station Deepka, District Korba (C.G.), for the offence punishable under Section 34(2) of Excise Act.
4. Case of the prosecution, in brief, is that, on the basis of secret information of the informant Police of Police Station of Deepka, District Korba seized 5.760 bulk liter country made liquor from the possessions of the present applicant.
5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 26.03.2021, therefore, the present applicant may be enlarged on bail.

6. On the contrary, learned State counsel opposes the application for grant of bail.

7. Looking to the facts and circumstances of the case, nature and gravity of offence, period of detention and also considering the fact that in the event of filing of charge sheet the trial will take some more time for its conclusion, and without further commenting on merits of the case, I am inclined to release the applicant on bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 10,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date as per direction of the court, unless exempted from appearance.

9. In view of the above, IA No.01/2021 for urgent hearing and IA No.02/2021 for hearing the case during summer vacation stand disposed of.

Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
VACATION JUDGE