

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3236 of 2021**

- Ravendra S/o Premlal Nishad, aged about 29 years, Resident of Village Bahinga, Police Station - Bemetara, District - Bemetara (CG)

---- Applicant (In Jail)**Versus**

- The State of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, Bemetara, District - Bemetara, Chhattisgarh (P/s. City Kotwali Not Mention In The Cause Title Of The Order).

---- Non-applicant

For Applicant	:	Mr. R.K. Pali, Advocate
For Non-applicant	:	Mr. Ravish Verma, Govt. Advocate

(Proceedings through Video Conferencing)**Hon'ble Mr. Justice Parth Prateem Sahu****Order On Board****21.5.2021**

1. This is first application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to applicant, who is in custody since 6.5.2021 in connection with Crime No.269/2021 registered at Police Station City Kotwali, Bemetara for commission of the offence punishable under Section 34 (2) of the CG Excise Act.
2. Case of the prosecution, in brief, is that on receipt of secret information by Informer that the applicant is in possession of illicit liquor, the applicant was intercepted by the police, on search being made, he was found in illegal possession of 20 bulk liter of hand-made mahua liquor.
3. Mr. R.K. Pali, learned counsel for the applicant submits that the applicant has not committed the offence as alleged against him. Applicant is in custody since 06.05.2021 and he is not having any criminal past. He further submits that the applicant is ready and willing

to abide all the conditions which may be imposed by this Court while granting bail to him. Hence, the applicant may be enlarged on regular bail.

4. On the other hand, learned State Counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties.
6. Taking into consideration the nature of allegations levelled against the applicant, period of detention i.e. from 6.5.2021, without commenting anything on merits of the case, I am inclined to release the applicant on regular bail.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- with one local surety in the like sum to the satisfaction of the trial Court concerned on the conditions that;
 - a) he shall appear before the trial Court concerned regularly on each and every date unless exempted from appearance.
 - b) he shall not, in any manner, tamper with the prosecution witnesses.
 - c) If the applicant is found involved in similar kind of offence in future, it will be open for the State to apply for cancellation of his bail.
8. Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Vacation Judge

roshan/-