

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2645 of 2017**

- Indro Yadav S/o Parmanand Yadav, Aged About 55 Years R/o Village Bamhandih Thana Komakhan, Tahshil Bagbahara And District Mahasamund Chhattisgarh

**---- Applicant****Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Komakhan, District Mahasamund Chhattisgarh

**---- Respondent**

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For the Applicant : Shri Vikash Pradhan, Advocate.

For the Respondent/State : Shri Wasim Miyan, Panel Lawyer.

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**Hon'ble the Vacation Judge****Order on board****31/05/2017**

1. The applicant has filed this application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No.36/2017, registered at Police Station-Komakhan, District-Mahasamund (C.G.), for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. Learned counsel for the applicant submits that the applicant has not committed any offence, he has been falsely implicated in the crime in question and he is in custody from 31.03.2017. Even otherwise, as per prosecution case, the applicant has been found in possession of 40.875 bulk litres of country made liquor.
3. On the other hand, learned State counsel opposes the bail application.
4. I have heard learned counsel for the parties and perused the case diary.
5. Although, it is objected by the State that applicant is habitual of committing similar crime and has been prosecuted for offences under C.G. Excise Act, but there is no such report that he has been convicted under any of the prosecuted offences. Looking to the facts and circumstances of this case and that applicant

is a local resident and disposal of trial is likely to take some time, I am of the view that present is a fit case to enlarge the applicant on regular bail. Accordingly, bail application is allowed. The applicant is directed to be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one solvent surety in the like amount to the satisfaction of the Court below concerned for his regular appearance before it, as & when directed.

6. It is made clear that if the applicant involves himself in the offence of similar nature in future, this order granting bail to the applicant shall stand cancelled automatically without further reference to the Bench.
7. Certified copy as per rules.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Vacation Judge

Nisha