

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8199 of 2020

- Ramkhilawan Sahu S/o Late Shri Vijay Sahu, Aged About 34 Years
R/o Village Danikundi, Police Station And Tahsil Marwahi, District
Gourela- Pendra- Marwahi Chhattisgarh. **---- Applicant**

Versus

- State Of Chhattisgarh Through The Station House Officer, Excise
Circle Pendra, District Gourela- Pendra Marwahi Chhattisgarh.

---- Respondent

For Applicant	: Shri Harshwardhan Jaiswal, Advocate
For Respondent/State	: Shri Gurudev I. Sharan, G.A.

Hon'ble Justice Shri Rajendra Chandra Singh Samant

Order on Board

23/12/2020

1. Heard on the application filed under Section 439 of the Cr.P.C.

This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 15.10.2020 in connection with Crime No.36/2019 registered at P.S.-Excise Circle Pendra, District Gourela-Pendra-Marwahi, Chhattisgarh for the offence under Section 34(a), 34 (2), 59(2) (a) of the CG. Excise Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in custody since 15.10.2020. Hence, it is prayed that the applicant may be released on regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 97.92 bulk liter illicit liquor has been seized from the possession of the accused. Hence, he is not entitled for grant of bail.
4. Heard learned counsel for both the parties and perused the case diary.
5. Considering on the submissions made and the contents of the case diary, detention of the applicant till conclusion of the trial would not serve any purpose. Hence, for these reasons, I am of the view that the application deserves to be allowed.
6. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nadim