

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6496 of 2022**

- Lakshmichand Sachdev S/o Late Khemchand Sachdev, Aged About 51 Years R/o Sangam Nagar, Takhatpur, P.S. Takhatpur District Bilaspur Chhattisgarh

**---- Petitioner****Versus**

- State Of Chhattisgarh Through Arakshi Kendra, Takhatpur, District Bilaspur Chhattisgarh

**---- Respondent**

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For Applicant	Mr. Sanjay Kumar Yadav, Advocate.
For Respondent /State	Ms. Akshara Amit, Panel Lawyer

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**SB.: Hon'ble Mr. Justice Deepak Kumar Tiwari**  
**Order On Board****29/7/2022**

1. Heard.
2. This is the second application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.201/2022 registered at Police Station Takhatpur, District Bilaspur (CG) for the offence punishable under Section 34(2) of the CG Excise Act.
3. The earlier bail application of the applicant was dismissed on merits vide order dated 21.6.2022 passed in MCRC No.4464 of 2022 with liberty to repeat the prayer after examination of the seizure witnesses.
4. The case of the prosecution is that 5 litres and 400 Ml of Desi Plain Madira has been seized from the illicit possession of the

applicant. Hence, the offence has been registered.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He submits that the seizure witnesses have turned hostile and not supported the case of the prosecution. The applicant is in jail since 8.5.2022, therefore, learned counsel prays for releasing the applicant on regular bail.
6. On the other hand, learned counsel for the State opposes the bail application.
7. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and also considering that the seizure witnesses have turned hostile and not supported the case of the prosecution and the pre-trial detention of the applicant, this Court is inclined to release him on bail.
8. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with two sureties in the like amount to the satisfaction of the trial Court. Along with the bail bonds, copies of the Aadhar Card and coloured Post Card full size photo shall also be submitted by the applicant as well as by the sureties, which shall be duly verified by the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
9. Certified copy as per rules. Sd/-

**( Deepak Kumar Tiwari)**

Judge

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