



NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4315 of 2023**

- Chandan Mandey @ Chandan Mandley Son Of Shri Manohar Mandley  
Aged About 20 Years Caste - Satnami, R/o. Village - Manikchauri,  
Police Station And Tahsil - Abhanpur, District Raipur Chhattisgarh

**--- Applicant.**

**Versus**

- State Of Chhattisgarh Through Police Station Mana Camp, Raipur,  
District Raipur Chhattisgarh

**--- Respondent.**

*CAUSE TITLE TAKEN FROM CIS PERIPHERY*

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For Applicant : Mr. Pushpendra Kumar Patel, Adv.  
For Respondent/State : Mr. B. P. Banjare, Dy. GA.  
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**Hon'ble Shri Justice Deepak Kumar Tiwari**  
**Order On Board**

**21.06.2023**

This application under Section 439 Cr.P.C. for grant of bail has been filed by the accused/applicant who is languishing in jail since 07.06.2023 in connection with Crime No.180/2023 registered at Police Station Mana Camp, Raipur for the offence punishable under Section 34 (2) of the CG Excise Act.

2 As per prosecution story, on the basis of secret information the police has seized total 15.480 bulk liters foreign liquor from the illicit possession of the accused/applicant.

3. Learned counsel for the applicant submits that the accused/applicant is innocent and has been roped in a false case. He further submits that prosecution has no cogent evidence to show that the said liquor was seized from the exclusive possession of the applicant. The applicant has been in custody since 07.06.2023 and conclusion of the trial is likely to take some more time therefore, the applicant may be released on bail. He also submits that the applicant would abide all terms and conditions imposed on him while granting



bail.

4. *Per contra*, learned State counsel opposes the bail application.

On query being made, learned State counsel submits that as per case diary one case of IPC is registered against the applicant, however, except this case, no case of similar nature is registered against the applicant.

5. Having considered the submission of learned counsel for the parties and considering the facts and circumstances of the case, further considering the period of pretrial detention of the applicant and the quantity seized, I am inclined to release the applicant on bail.

6. Accordingly, the application is **allowed** and it is directed that on applicant's furnishing a personal bond in the sum of Rs.25,000/- with **one** surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail on the following conditions:-

- (a) he shall not act in any manner which will be prejudicial to fair and expeditious trial,
- (b) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of case,
- (c) he shall not involve himself in any offence of similar nature in future.
- (d) the applicant and the sureties shall submit a copy of their Aadhar Card along with a coloured postcard full size photo having printed the Aadhar number on it, which shall be verified by the concerned trial Court.

Sd/-

**(Deepak Kumar Tiwari)**  
**Judge**

*Ajay*