

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C No.3193 of 2017**

Nand Kishor Pandey S/o Late Chandrika Prasad Pandey Aged About 40 Years
R/o Village Salkhan, Police Station & Tahsil Shivrinarayan, District Janjgir
Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through S.H.O., Shivrinarayan, District Janjgir Champa,
Chhattisgarh.

---- Non-Applicant

For Applicant:	Shri Ravindra Sharma, Advocate.
For State/Non-Applicant:	Shri Wasim Miya, Panel Lawyer.

Single Bench: Hon'ble Shri Prashant Kumar Mishra, J
Order On Board

24.5.2017

1. This is the first bail application under Section 439 Cr.P.C for grant of regular bail as the Applicant is arrested in connection with Crime No.82/2017 registered at Police Station – Shivrinarayan, Distt. Janjgir-Champa (CG) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act for illegally possessing 16.380 bulk liters of foreign made liquor.
2. Learned Counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the alleged crime. He submits further that there are no previous criminal antecedents of similar offence and is therefore liable to be enlarged on bail.
3. On the other hand, learned counsel for the State opposed the prayer for bail.
4. Having considered the facts and circumstances of the case, the nature

of allegations, the fact that the Applicant is in jail since 14.04.2017, that the offence is triable by the Judicial Magistrate, First Class and that there are no previous criminal antecedents against him, this Court is inclined to release the Applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C 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.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed. 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 automatically stand cancelled without further reference to the Bench.

Sd/-

(Prashant Kumar Mishra)
Vacation Judge

Priya