

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3273 of 2021

- Raju Singh S/o Shri Ram Singh Aged About 22 Years R/o Village Sakalo, P.S. Gandhinagar, (Ambikapur Dehat), District - Surguja (C.G.). ---- **Applicant**

Versus

- State Of Chhattisgarh Through P.S. Incharge P.S. Gandhinagar (Ambikapur Dehat), District Surguja (C.G.) ---- **Non-Applicant**

For Applicant: : Ms. Soniya Kuldeep, Advocate.
 For the state/Non-Applicant: : Shri Vikram Sharma, Dy. G.A.

Single Bench: Hon'ble Shri Sanjay S. Agrawal, J
CAV Judgment order

28.05.2021

1. This is the first bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973, (hereinafter referred to as the Cr. P.C.), seeking grant of regular bail to him, as he(Raju Singh), has been arrested on 21.04.2021 in connection with Crime No.197/2021, registered at Police Station Gandhinagar, District Surguja, for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. According to the prosecution, 7 bulk liters handmade Mahua liquor has been seized from the possession of the applicant and therefore, the alleged offence has been registered against him.
3. Learned counsel for the Applicant submits that the applicant is innocent and has been falsely implicated in connection with the said crime, as the said article has not been recovered from his exclusive possession. It is contended further that since there is no past criminal record of the applicant therefore, he may be

enlarged on bail with regard to the offence which is triable by the Judicial Magistrate First Class.

4. On the other hand, learned counsel appearing for the State/Non-Applicant has opposed the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary carefully.
6. Having considered the facts and circumstances of the case and considering further the length of pre-trial detention of the applicant with regard to the offence triable by the Judicial Magistrate First Class, I am inclined to enlarge the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is hereby allowed and it is directed that the applicant shall be released on bail on furnishing a personal bond in sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-

(Sanjay S.Agrawal)

VACATION JUDGE