

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6822 of 2021**

Maksudan Singh Rajput S/o Shri Ramdahin Rajput, Aged About 31 Years R/o Village Jogideepa, Thana Patewa, Tahsil And District Mahasamund Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Patewa, District Mahasamund Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sunil Sahu, Advocate
For the State	:	Shri V.K. Agrawal, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**22/11/2021**

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No. 197/2021, registered at Police Station Patewa, District – Mahasamund (C.G.), for the offence punishable under Section 34 (2) of C.G. Excise Act.
3. As per prosecution story that on 07/08/2021, 11 bulk liter of country made liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant submits that he is innocent and falsely implicated in the present case, no seizure has been made from him, he is in jail since 07/08/2021, offence is triable by Judicial Magistrate First Class, trial will take long time for adjudication,

hence he be released on bail.

5. On the other hand, the State counsel opposed the bail application and submits that earlier 12 cases have been registered against the present applicant and most of the cases in Excise Act, which indicates that he is habitual offender, therefore, he may not be granted bail.
6. I have heard learned counsel for both the parties and perused the material available on record.
7. Looking to the facts and circumstances of the case and quantity of the liquor seized from the illegal possession of the applicant, offence is triable by Judicial Magistrate First Class, applicant is in jail since 07/08/2021, I feel inclined to allow the bail application. It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond in the like sum to the satisfaction of the trial Court concerned for his appearance before the concerned Court as and when directed by the said Court, he be released on bail.

CC as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE