

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7214 of 2021

- Kirtan Sahu @ Jharbul S/o Dharam Das Sahu, Aged About 32 Years, Caste Teli, R/o Village Khokhepur, Chowki - Balouda, Police Station - Saraipali, District - Mahasamund, Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Chowki - Balouda, Police Station - Saraipali, District - Mahasamund, Chhattisgarh, District : Mahasamund, Chhattisgarh

----Non-applicant

For Applicant – Shri Shivendu Pandya, Advocate.

For Non-applicant/State – Shri Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-09-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 20-08-2021 in connection with Crime No.338/2021 registered at P.S. - Saraipali, Police Chowki - Balouda, District - Mahasamund, Chhattisgarh for the offence under Section 34(2) of C.G. Excise Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated. He is in jail since 20-08-2021. The applicant does not have any criminal antecedent. Therefore, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that huge quantity of illicit liquor has been seized from the possession of this applicant. Therefore, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. 225 liters of hand made country liquor has been seized from the possession of this applicant. Hence, this case.

6. Considered on the submissions. For the reason that this applicant does not have any criminal antecedent and there is likelihood of delay in investigation and trial, therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge