

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7453 of 2021**

Chudamadi Sinha S/o Samaru Sinha Aged About 40 Years R/o Village Raytum, 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 Vikas Pradhan, Advocate |
| For the State     | : | Smt. Seema Dixit, P.L.       |

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**Hon'ble Shri Justice N.K. Chandravanshi**

**Order On Board****23/11/2021**

1. Heard.
2. This is first bail application filed under Section 439 of Cr.P.C. for grant of regular bail to the applicant who has been arrested in connection with Crime No. 205/2021, 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 on 15/08/2021, 20 bulk liter of country made liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant submits that the applicant is innocent and falsely implicated in the present case, charge-sheet has been filed, he is bread earner of his family, he is in custody since 15/08/2021, therefore, he be released on bail.

5. On the other hand, learned State counsel opposes the bail application and submits that earlier four cases have been registered against the present applicant, which indicates that he is habitual offender, therefore, he may not be granted bail.
6. Considered the submissions made by both the counsel.
7. Looking to the facts and circumstances of the case and quantity of the liquor seized from the illegal possession of the applicant, charge-sheet has been filed, offence is triable by Judicial Magistrate First Class, detention period of the applicant, 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**