

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7415 of 2021**

- Santram S/o Agheshwar Aged About 21 Years Caste Teli, Resident Of Village Nipani, P.S. Balod, District Balod Chhattisgarh., District : Balod, Chhattisgarh  
---- **Applicant**

**Versus**

- State of Chhattisgarh Through Out Post Kanwar, P.S. Gurur, District Balod Chhattisgarh.  
---- **Respondent**

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| For Applicant | : | Ms. Priya Sharma, Advocate.  |
| For State     | : | Mrs. Smita Jha, Panel Lawyer |

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**Hon'ble Shri Justice Narendra Kumar Vyas****Order on Board****25-10-2021**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 11-9-2021 in connection with Crime No.304 of 2021 registered in Police Station- Gurur, District Balod (CG) for the offence punishable under Section 34(2) of the CG Excise Act.
2. The case of the prosecution, in brief, is that on 11-9-2021 a secret information was received by Inspector of Police Station Gurur that the applicant was transporting the liquor illegally on the basis of which Police party conducted raid and in the said raid the applicant was found in illegal possession of 7.200 bulk liters of liquor, thereby he committed the said offence.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 11-9-2021, the case is triable by Judicial Magistrate

First Class and conclusion of the trial is likely to take some time, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Having heard learned counsel for the parties, considering the totality of the facts and circumstances of the case, in particular the quantity of illicit liquor, the detention period of the applicant, case is triable by Judicial Magistrate First Class and the fact that conclusion of the trial may take some time and looking to the gravity of the offence, I am inclined to release the applicant on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C is allowed. It is directed that in the event of the applicant's 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, he shall be released on bail. He is directed to appear before the trial Court on each and every date given to him by the said Court, till disposal of the trial.
7. It is made clear that the applicant shall not involve himself in any offence of similar nature in future, otherwise bail granted to him shall be liable to be cancelled without further reference to the Bench.

Sd/-

**(Narendra Kumar Vyas)**  
**Judge**

**Raju**