

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7668 of 2021**

1. Sabhapati Saw, S/o Rameshwar Saw, aged about 47 years, R/o Village Bodesara, Police Station Saraipali, District Mahasamund (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Saraipali, District Mahasamund (CG)

---- Non-Applicant

For Applicant : Miss Ankita Shriwas, Advocate.
For Non-Applicant : Shri Gagan Tiwari, Deputy GA.

Hon'ble Shri Prashant Kumar Mishra, Ag CJ**Order On Board****30/09/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.123/2021 registered in Police Station Saraipali, District Mahasamund for offence under Section 34 (2) of the CG Excise Act.
2. This is the 2nd bail application on behalf of the applicant. The first bail application was dismissed for non-compliance of the Court's order.
3. Learned State Counsel informs that the case diary is available.
4. The applicant was found in illicit possession of 25 liters of country made liquor during the raid in his house on 7.4.2021.
5. Learned State Counsel would oppose the prayer for grant of bail.

However, he submits that the concerned SHO has not reported any previous criminal antecedents of the applicant.

6. Considering that the applicant is in jail since 7.4.2021 i.e. for last about 6 months and the offence is triable by the Judicial Magistrate 1st Class, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

Barve