

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7573 of 2021**

- Bihari Lal S/o Manaram Nishad Aged About 40 Years R/o Gudi Chowk, Rasedi, P.S. Balodabazar District Balodabazar Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Balodabazar, District Balodabazar Bhatapara Chhattisgarh.

---- Non-applicant

For Applicant	: Shri Raghvendra Pradhan, Advocate
For Non-applicant	: Shri A.K. Mishra, Government Advocate

Hon'ble Shri Justice Narendra Kumar Vyas
Order On Board

27.10.2021

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. The applicant has been arrested in connection with crime No. 498/2021 registered at Police Station – City Kotwali, Balodabazar, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
3. Case of the prosecution, in brief is that on 27.08.2021, 41 bulk liters country made liquor has been seized by the police, police station – City Kotwali, Balodabazar from the illegal possession of the applicant.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case. He is in jail since 27.08.2021 and trial may take some time, therefore, he may be released on bail.
5. On the other hand learned counsel for the State opposes the bail application.
6. Looking to the above facts and circumstances of the case without commenting on merits of the case, considering the fact that applicant is

in jail for the last two months, the application is allowed. It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs. 25,000/- to the satisfaction of the concerned Trial Court, he be released on bail.

7. Certified copy as per rules.

Sd/-

(Narendra Kumar Vyas)
JUDGE