

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7888 of 2021

Laxman Prajapati S/o Rajesh Prajapati, Aged About 18 Years, R/o Village Parsakapa, P.S -Takhatpur, Tahsil Takhatpur, District -Bilaspur, (Chhattisgarh).

---- **Applicant**

Versus

State of Chhattisgarh Through Station House Officer, Police Station Excise Circle Bilaspur West, District Bilaspur (Chhattisgarh).

--- **Respondent**

For Applicant	: Mr. Sushobhit Singh, Advocate.
For State	: Mr. Adil Minhaj, GA.

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

06/10/2021

Heard.

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to applicant, who has been arrested in connection with Crime No.74/2021, registered at Police Station -Excise Circle Bilaspur West, District Bilaspur, (C.G.), for commission of offence punishable under Sections 34(1) (a) (f), 34(2), 59(A) of the CG Excise Act.
2. Case of the prosecution is that on 21.09.2021, based on secret information Police raided house of applicant, seized 15 bulk litres of handmade liquor and 40 kg of Mahua Lahan. Based on seizure, aforementioned crime is registered against applicant.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in instant crime. There is no criminal antecedent of applicant. Applicant is tender age of 18 years only and is in jail since 21.09.21.
4. Learned State Counsel opposes the submission made by learned counsel for the applicant and submits that looking to the quantity of illicit liquor sized from possession of applicant. He is not entitled for grant of bail. Upon asking about criminal antecedents of applicant, learned State Counsel submits that there is no mention of any criminal antecedent in case diary.
5. Heard learned counsel for the parties.

6. Considering the entire facts and circumstances of the case, nature of allegation, age of applicant to be 18 years only, the fact that applicant is not having any criminal antecedent as per case diary, applicant is in jail since 21.09.2021, without commenting anything on merits of the case, I am inclined to allow bail application.
7. Accordingly, bail application is allowed. It is directed that applicant shall be released on regular bail, on his furnishing a bail bond in sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the Court on the conditions that-
- a) Applicant shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) He shall not, in any manner, tamper with the prosecution witnesses.
 - c) If he is found involved in similar offence in the future, it will be open for the State to apply for cancellation of Bail.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

Jamal/-

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

MCRC No. 7888 of 2021

Laxman Prajapati **Versus** State of Chhattisgarh

06.10.2021	Shri Sushobhit Singh, Advocate for the applicant. Shri Adil Minhaj, GA for the State. Heard. Admit. Learned State Counsel submits that case diary is available with him. With the consent of the parties, matter is heard finally. Order dictated and signed separately. Sd/- (Parth Prateem Sahu) Judge

Jamal/-