

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8053 of 2021**

Damrudhar Lakda, S/o Chhote Lal Lakda, aged about 32 years, R/o Gowardhanpur,
P.S. Chakradhar Nagar, Raigarh, Tehsil and District – Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : The Police Station – Excise Circle, Raigarh, District
Raigarh (C.G.)

----Non-applicant

For Applicant	:	Mr. Rajat Agrawal, Advocate.
For Non-applicant	:	Mr. Dinesh Tiwari, Dy. Govt. Advocate.

Hon'ble Mr. Justice N.K. Chandravanshi**Order On Board****28-10-2021**

(1) As per applicant, 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. 62/2021 registered in Police Station Excise Circle, Raigarh, District Raigarh (C.G.) for offence punishable under Sections 34(1)(क), 34(2) and 59 (क) of C.G. Excise Act.

(3) Case of the prosecution is that on 22/09/2021, 34 bulk liter of country made liquor has been seized from the possession of applicant, which he was carrying unauthorizedly for sell.

(4) Counsel for the applicant submits that applicant has been falsely implicated in the crime in question as he has not committed the alleged crime. He further submits that applicant has been arrested on 23.9.2021, this is first crime registered against him and conclusion of trial is likely to take long time, therefore, the applicant may be released on

bail.

(5) On the other hand, the State counsel opposes the bail application submitting that 34 bulk liters of Illicit liquor has been seized from illegal possession of the applicant; charge sheet has not been filed, therefore, the applicant is not entitled to be released on bail.

(6) I have heard learned counsel for the parties and perused the case diary as well as material available on record.

(7) Looking to the facts and circumstances of the case, quantity of the liquor seized from the possession of the applicant and 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.

Sd/-

(N.K.Chandravanshi)
Judge

D/-

