

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7956 of 2021**

- Karan Sagar S/o Shailendra Aged About 26 Years R/o Deepak Nagar P.S. Mohan Nagar, Durg District Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Excise Circle Dongargaon District Rajnandgaon Chhattisgarh

---- Respondent

For Applicant : Shri S.S. Baghel, Advocate

For Respondents/ State : Shri Arjit Tiwari, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order****22/10/2021**

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 40/2021 registered at Police Station- Excise Circle, Dongargaon, Dist. Dongargaon, (C.G.) for the offence punishable under Section 34(2), 36, 59(a) of the C.G. Excise Act 2015.
2. As per the prosecution case on 20.03.2021, vehicle bearing No. C.G. 04 KS 0491 on being intercepted, from the possession of the applicant 360 bulk liters of liquor was seized.
3. Learned counsel for the applicant submits that this is the second bail application, the first bail application was dismissed as withdrawn on 06.08.2021. He further submits that now the seizure witnesses have been examined and they have not supported the case of the prosecution and

charge sheet has already been filed, no further material witness is required to be examined, therefore, the applicant may be enlarged on bail.

4. Learned State counsel do not dispute the fact that seizure witnesses namely Praveen Rangari and Yogesh Yadav have not supported the case of the prosecution.
5. Considering the statement of Praveen Rangari and Yogesh Yadav and further considering that the charge sheet has already been filed and the applicant is in jail since 20.03.2021, without any observation on the merits of the case, I am inclined to release the applicant on bail.
6. Accordingly, the second bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

Goutam Bhaduri
Judge