

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8520 of 2021**

Shahiba Das S/o Shivmangal Das Aged About 65 Years R/o Village Basti, Police Station Pendra, District Gaurela Pendra Marwahi, Chhattisgarh (Fathers Name Wrongly Written In Cause Title Of The Impugned Order).

---- Applicant

Versus

State Of Chhattisgarh Through Excise Circle Pendra, District Gaurela Pendra Marwahi, Chhattisgarh.

---- Respondent

For the Applicant	:	Ms. Priya Sharma, Advocate
For the State	:	Shri Sudhir Sahu, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**29/10/2021**

1. Default pointed out by the Registry has been removed.
2. Heard.
3. 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.
4. The applicant has been arrested in connection with Crime No. 21/2021 registered in Police Station Excise Circle, Pendra, District Gaurela-Pendra-Marwahi (CG) for offence punishable under Section 34(1)A, 34(2), 59(A) of C.G. Excise Act.
5. Prosecution story in brief is that on 21/09/2021, 15 bulk liter of country made liquor has been seized from the possession of applicant.
6. Counsel for the applicant argued that the applicant is innocent, he has been falsely implicated, he is an old aged person and he is in

jail since 22/09/2021, therefore, he be released on bail.

7. On the other hand, the State counsel opposed the bail application. He further submits that as per case diary there is no previous criminal antecedent has been shown against the present applicant.
8. Considered the submissions made by both the counsel.
9. Taking into consideration the quantity of the liquor seized and also having considering the facts and circumstances of the case, the 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.

CC as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE