

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8195 of 2021**

Yashwant Diwan (Wrongly Menotion Yashwant Kavar) S/o Shri Goutram Diwan Aged About 26 Years R/o Village Patharidhih, P.S. Baghbahra, Tahsil Baghbahra, And District Mahasamund Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Excise Circle Tahsil Mahasamund And District Mahasamund Chhattisgarh.

---- Respondent

For the Applicant	:	Shri J.A. Lohani, Advocate
For the State	:	Shri B.L. Sahu, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**22/10/2021**

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. 61/2021 registered in Police Station Excise Circle Mahasamund, District Mahasamund (CG) for offence punishable under Section 34(2) of C.G. Excise Act.
3. Prosecution story in brief is that on 24/09/2021, 15 bulk liter of country made liquor has been seized from the possession of applicant.
4. Counsel for the applicant argued that the applicant is innocent, he has been falsely implicated, he is in jail since 24/09/2021, hence he be released on bail.
5. On the other hand, the State counsel opposed the bail application on the ground that Illicit liquor has been seized from illegal possession of the applicant. He further submits that as per case diary there is no

criminal antecedent has been reported against the applicant.

6. Looking to the facts and circumstances of the case, quantity of the liquor seized from the illegal possession of the applicant and 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