

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8083 of 2021**

Durgesh Bhaskar, S/o Itwari Bhaskar, aged about 33 years, caste- Satnami,
resident of Nangchui, P.S. - Takhatpur, District Bilaspur (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Excise Circle, Bilaspur,
District – Bilaspur (C.G.)

----Non-applicant

For Applicant : Mr. Ajay Kumarani, Adv. on behalf of Mr. Nitansh Kumar
Jaiswal, Advocate.

For Non-applicant : Mr. Anil Tripathi, Panel Lawyer.

Hon'ble Mr. Justice N.K. Chandravanshi**Order On Board****25-10-2021**

(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. 64/2021 registered in Police Station Excise Circle, Bilaspur for offence punishable under Sections 34(1)(a), 34(2) and 59(a) of C.G. Excise Act.

(3) Case of the prosecution is that on 29/09/2021, 20 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 any offence. He further submits that this is first crime registered against the applicant, in which, he has been arrested on 29.09.2021 and conclusion of trial is likely to take some time, therefore, the applicant may be released on regular bail.

(5) On the other hand, the State counsel submits that it is a case of illegal possession of 20 bulk liters of hand made liquor by 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 possession of the applicant and the detention period of the applicant and the fact trial is likely to take some time for its disposal, 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/-

