

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8088 of 2021**

- Bhuneshwar Sahu S/o Shyam Lal Sahu, Aged About 52 Years R/o. Dumar, Police Station Nandani Nagar, District Durg Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh, Through - The District Magistrate, Durg, District Durg Chhattisgarh

---- Respondent

For Applicant	:	Ms. Pushpa Dwivedi, Advocate on behalf of Shri Jitendra Gupta, Advocate
For Respondents/State	:	Shri Vikram Sharma, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order****29/10/2021**

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 01.10.2021 in connection with Crime No.86/2021-22 registered at Police Station Excise Circle, Dhamdha, District Durg (CG) for the offence punishable under Sections 34 (2) & 59 (A) of Excise Act.
3. As per the prosecution case, on 01.10.2021 on a raid being conducted, 57.96 bulk liter country made liquor was seized from the possession of the applicant. Thereby the offence is committed.

4. Learned counsel for the applicant submits that place of the seizure was not exclusively belonging to the applicant and there are no previous antecedents. She would further submit that the applicant is in jail since 01.10.2021, therefore, the applicant may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the facts of this case and also the fact that already the seizure has been made and no further investigation would be necessary, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu