

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8323 of 2021**

Netram Tandan S/o Dhaniram Tandan Aged About 28 Years R/o Taulipali, P.S. Dabhra, Tahsil Malkharouda, District Janjgir-Champa Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through: The Station House Officer, Chowki Adbhar, Police Station Malkharouda, District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant - Ms. Nita Choubey, Advocate.
For Respondent/State - Shri Ankur Kashyap, Panel Lawyer.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****27-10-2021**

1. Heard.
2. The applicant has preferred the first bail application under Section 439 of the Cr.P.C. for grant of regular bail, as he has been arrested in connection with Crime No.310/2021, registered at Police Station – Malkharouda, District – Janjgir-Champa (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 02/10/2021, 20 bulk liter of country made liquor (*Mahua*) has been seized from the illegal possession of applicant.

4. Ms. Nita Choubey, learned counsel for the applicant would submit that the applicant is innocent, he has been falsely implicated in this case and he is in jail since 02/10/2021. No seizure has been recovered from the applicant. She further submits that this is the first crime registered against him. Hence, he be released on bail.
5. Per contra, Shri Ankur Kashyap, learned state counsel would oppose the prayer for grant of bail to the applicant. He further submits that, as per case diary, there is no criminal antecedent has been reported against the applicant.
6. After hearing learned counsel for both the parties and also the facts and circumstances of the case; quantity of the liquor seized from the possession of applicant and also the detention period, I feel inclined to allow the bail application.
7. Accordingly, the present bail application is allowed. 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

Amardeep