

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8325 of 2021**

Ajay Ratre S/o Naresh Ratre Aged About 25 Years R/o Charpara,
Police Station Malkharouda, District Janjgir Champa Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The S.H.O. Of Police Station
Malkharouda, District Janjgir Champa Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Hariom Rai, Advocate
For the State	:	Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**27/10/2021**

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.308/2021 (310/2021 is wrongly mentioned in order-sheet) registered in Police Station Malkharouda, District Janjgir-Champa (CG) for offence punishable under Section 34(2) of C.G. Excise Act.
3. Prosecution story in brief is that on 30/09/2021, 10 bulk liter of country made liquor has been seized from the possession of applicant.
4. Counsel for the applicant submits that the applicant is innocent, he has been falsely implicated in this case, no seizure of alleged liquor has been made from his possession, he is in jail since 30/09/2021, hence he may be granted bail.
5. On the other hand, the State counsel opposed the bail application. He further submits that charge-sheet has been filed, applicant is a

habitual offender, one case of Excise Act is already pending against him and two cases have already been registered under Section 107 and 116 of CrPC, therefore, he does not deserves to grant bail.

6. Considered the submissions made by both the parties, perused the case diary and material available on record. It is a matter of illegal possession of 10 bulk liter of country made liquor, applicant is in jail since 30/09/2021, after due consideration, 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