

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8254 of 2021**

Pankaj Dhiwar S/o Shri Dayaram Dhiwar Aged About 32 Years
Resident Of Village Chhatona, Police Station Aarang, District Raipur
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Aarang, District Raipur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Rekhraj Baghel, Advocate
For the State	:	Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Shri 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. 553/2021 registered in Police Station Aarang, District Raipur (CG) for offence punishable under Section 34(2) of C.G. Excise Act.
3. Prosecution story in brief is that on 24/09/2021, 17.280 bulk liter of country made liquor has been seized from the possession of applicant.
4. Counsel for the applicant argued that the applicant has not committed alleged crime, he is innocent, he has been falsely implicated and he is in jail since 24/09/2021, hence applicant be released on bail.
5. On the other hand, learned State counsel submits that two cases of Excise Act and two cases for the offence under Section 294 of IPC

is pending against the applicant. He is a habitual offender, therefore, his bail application be rejected.

6. Considered the submissions made by counsel for both the parties.
7. Taking into consideration the detention period of the applicant, his age, quantity of the liquor seized and also having considering the facts and circumstances of the case, 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