

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8380 of 2021**

Beersingh Manjhi S/o Roopdhar Manjhi Aged About 33 Years R/o Village Tengrahi, Police Station Komakhan, Tehsil Bagbahra, District Mahasamund Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Komakhan, District Mahasamund Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Shubhak Tiwari, Advocate
For the State	:	Shri Ankur Kashyap, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**26/10/2021**

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. 160/2021 registered in Police Station Komakhan, District Mahasamund (CG) for offence punishable under Section 34(2) of C.G. Excise Act.
3. Prosecution story in brief is that on 22/09/2021, ps4410 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 any offence and falsely implicated in the present case. Applicant is only responsible member of his family to look after all others, he is in jail since 22/09/2021, therefore, he be released on bail.

5. On the other hand, State counsel while opposing the bail application submits that one other case has been registered against the applicant which shows that applicant is habitual offender, 10 bulk liters of country made liquor has been seized from the illegal possession of the applicant, therefore, bail application of applicant is liable to be rejected.
6. Considered the submissions made by both the parties.
7. Taking into consideration the quantity of the liquor seized, the detention period of the applicant and further looking to the totality of the facts, 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