

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8481 of 2021**

- Agar Das Kosle S/o Vishal Das Kosle Aged About 35 Years R/o Village- Bhakhridih, Police Station Sargaon, District- Mungeli (Chhattisgarh)

---- Applicant**Versus**

- State Of Chhattisgarh Through - The Excise Officer, Excise Circle Bilha, District- Bilaspur (Chhattisgarh)

---- Respondent

 For Applicant : Shri Vipin Singh Thakur, Advocate
 For Respondent/State : Shri Roshan Dubey, Panel Lawyer

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****24.11.2021.**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 06.10.2021 in connection with Crime No.70/2021 registered at Excise Circle Bilha, Distt. Bilaspur (C.G.), for the offence punishable under Sections 34(1)(A), 34(2) & 59A of the Chhattisgarh Excise Act.

2. Allegation against the applicant is that he was found in illegal possession of 36 bulk liters of country made liquor.

3. Learned counsel for the applicant submits that the applicant is innocent, he has been falsely implicated in the present case and he is in jail since 06.10.2021. He further submits that this is the first offence registered against the applicant, hence, he may be released on bail.

4. On the other hand, learned counsel for the State would vehemently oppose the bail application. However, he submits that there is no criminal antecedent reported against the applicant.

5. I have heard learned counsel for the parties, perused the case diary and the material available on record.

6. Considering the entire facts and circumstances of the case, quantity of liquor seized from the possession of the applicant and also for the fact that the applicant is in jail since 06.10.2021 and there is no criminal antecedent reported against him, I am inclined to release the applicant on bail. Therefore, the application under Section 439 of the CrPC 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.

Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE