

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8429 of 2021**

Basant Sahu S/o Mohanlal Sahu Aged About 27 Years R/o Ward No. 11, Jawaharpara Balod, Police Station And District Balod Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Balod, District Balod Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Prasoon Agrawal, Advocate
For the State	:	Shri Vimlesh Bajpai, Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**28/10/2021**

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. 339/2021 registered in Police Station Balod, District Balod (CG) for offence punishable under Section 34(2) of C.G. Excise Act.
3. Prosecution story in brief is that on 06/10/2021, 9 bulk liter of country made liquor has been seized from the possession of applicant.
4. Counsel for the applicant submits that the applicant has not committed alleged offence, he has been falsely implicated in the instant case. He further submits that three cases were registered against him and all three cases have been decided, he is in jail since 06/10/2021, hence he be released on bail.
5. On the other hand, the State counsel opposed the submission made by counsel for the applicant mentioning that three cases had

already been registered against the applicant, he has filed copy of two judgment but he has not filed copy of judgment of third case, above facts shows that he is habitual and therefore he may not be enlarged on bail.

6. Considered the submissions made by counsel for both the parties.
7. Considering the quantity of liquor seized from the applicant and also taking into consideration his detention period and other circumstances, 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