

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8392 of 2021**

Angad Ram Gayakwad S/o Late Shri Ramau Ram Gayakwad Aged About 44 Years R/o Hasda No. 1, Chowki Karelibadi, Police Station Magarlod, District Dhamtari Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh Through Outpost Karelibadi, Police Station Magarlod, District Dhamtari Chhattisgarh.

---- Respondent

For Applicant - Shri Sunil Sahu, Advocate on behalf of Shri Anil Gulati, Advocate for the applicant.
For Respondent/State - Ms. Hamida Siddiqui, Dy. Advocate General.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****28-10-2021**

1. Heard.
2. The applicant has preferred the first bail application under Section 439 of the Cr.P.C. for grant of regular bail, as he has been arrested in connection with Crime No.245/2021, registered at Police Station – Outpost Karelibadi, P.S. Magarlod, District – Dhamtari (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 02-10-2021, the applicant has been found in joint illicit possession of 12.96 bulk liters of country made liquor with other co-accused person.

4. Learned counsel for the applicant would submit that the applicant is innocent, he has been falsely implicated in the instant case and he is in jail since 02-10-2021. He further submits that this is the first crime registered against him. Hence, he may be enlarged on bail.
5. Learned counsel for the State would oppose the prayer for grant of bail mentioning that as per case diary, total ten cases are pending against the applicant. Some are of the Excise Act and some are of the Indian Penal Code, therefore, the applicant is not entitled to be released on bail.
6. Considering the submissions made by learned counsel for both the parties and quantity of liquor seized from the joint possession of applicant and other co-accused person and also for the fact that the applicant is in jail since 02-10-2021, I feel inclined to release the applicant on bail.
7. Accordingly, the present bail application 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.

SD/-

(N.K. Chandravanshi)
Judge

Amardeep