

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8492 of 2021**

Prabhat Kumar Gupta S/o Nagendra Prasad Gupta Aged About 29 Years R/o Krishna Nagar, Boriya Road, Raipur, District - Raipur (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through - The Excise Circle, Civil Line, Through-Excise Department Raipur (Chhattisgarh).

---- Respondent

For the Applicant	:	Shri Anil Gulati, Advocate
For the State	:	Shri B.L. Sahu, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**29/10/2021**

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. 91/2021 registered in Police Station Excise Circle, Civil Line, through Excise Department Raipur, District Raipur (CG) for offence punishable under Section 32(2), 34(1) (क)(च) & 59(क)(1)(2) of C.G. Excise Act.
3. Prosecution story in brief is that on 16/10/2021, 18 bulk liter of foreign liquor has been seized from the possession of applicant.
4. Counsel for the applicant argued that the applicant is innocent, he has been falsely implicated, he is in jail since 16/10/2021, hence he be released on bail.
5. Per contra, learned State counsel opposed the bail application. He further submits that as per case diary there is no previous criminal antecedent has been shown against the present applicant.

6. Considered the submissions made by both the counsel.
7. Looking to the facts and circumstances of the case, quantity of the liquor seized from the illegal possession 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

Kamde

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1281 of 2021**

Prabhat Kumar Gupta S/o Nagendra Prasad Gupta, Aged About 29 Years R/o Krishna Nagar, Boriya Road, Raipur, District - Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through - Station House Officer, Excise Circle Civil Line, Through Excise Department Raipur, District - Raipur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Anil Gulati, Advocate
For the State	:	Shri Vimlesh Bajpai, Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**25/11/2021**

1. Heard.
2. This is an application for modification of the order dated 29/10/2021 passed in MCRC No.8492/2021.
3. Learned counsel for the applicant would submit that in the order passed by this Court on 29/10/2021 in MCRC No. 8492/2021, due to inadvertent mistake in para 2 the Section has been mentioned as '32 (2)' instead of '34(2)'.
4. I have heard learned counsel for both the parties.
5. Accordingly, in the order dated 29/10/2021 passed in MCRC No. 8492/2021 the Section mentioned in para 2 is modified and it be read as '34 (2)' in place of '32 (2)'.
6. A copy of this order be made part of order dated 29/10/2021 passed in MCRC No. 8492/2021.
7. Accordingly, the present Cr.M.P. is disposed of.

Sd/-

(N.K. Chandravanshi)
JUDGE