

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8440 of 2021**

Umar Farukh S/o Mohd. Raza Aged About 26 Years Resident Of
Ambedkar Nagar, Mangli Bazar, Gourella, P.S. Gourella, District
Gourella- Pendra- Marwahi. Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- Police Station Gourella, District
Gourella-Pendra Marwahi . Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Vijay Shankar Mishra, Advocate
For the State	:	Shri Vimlesh Bajpai, Govt. Advocate

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. 385/2021 registered in Police Station Gourella, District Gourella-Pendra-Marwahi (CG) for offence punishable under Section 34(2), 59(A) of C.G. Excise Act.
3. Prosecution story in brief is that on 18/10/2021, 7 bulk liter of country made liquor has been seized from the possession of applicant.
4. Counsel for the applicant argued that the applicant is innocent and he has not committed any offence, he has been falsely implicated in the present case, he is in jail since 18/10/2021 and offence is triable by Judicial Magistrate First Class, therefore, he be released on bail.
5. Per contra, learned State counsel opposed the bail application

mentioning that Illicit liquor has been seized from illegal possession of the applicant.

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