

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8815 of 2021**

Naresh Kumar Nishad S/o Hirde Nishad Aged About 40 Years R/o Village Dhabakhar, Thana Sankara, District Mahasamund Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh Through Station House Officer, Police Station Sankara District Mahasamund Chhattisgarh.

---- Respondent

For Applicant - Shri Vikash Pradhan, Advocate.
For Respondent/State - Ms. Hamida Siddiqui, Dy. Advocate General.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****12-11-2021**

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.186/2021, registered at Police Station – Sankara, District – Mahasamund (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. The applicant has been found in illicit possession of 20 bulk liters of country made liquor (*Mahua*) on 29-09-2021.
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 custody since 30-09-2021. The applicant is only bread earner of his family. Hence, he may be enlarged on bail.

5. Per contra, learned counsel for the State would oppose the prayer for grant of bail.
6. Considering the entire facts and circumstances of the case; quantity of seized liquor recovered from the possession of applicant and as per memo of this bail application, he is in jail since 30-09-2021, I am inclined to grant bail to the applicant.
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