

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8698 of 2021**

Mahendra Kumar Prajapati S/o Shri Ramkumar Prajapati Aged About 21 Years R/o Bandhwapara Sakri, Police Station Sakri, District- Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh Through Excise Circle, Bilha, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant - Shri Sushobhit Singh, Advocate.
For Respondent/State - Ms. Hamida Siddiqui, Dy. Advocate General.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****10-11-2021**

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.79/2021, registered in Excise Circle Bilha, District – Bilaspur (C.G.) for the offence punishable under Section 34 (1) (क), 34 (2), 59 (क) & 36 of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 24-10-2021, 36 bulk liters of foreign liquor (*Goa whisky*) has been seized from the illicit possession of applicant.

4. Learned counsel appearing for the applicant would submit that the applicant is innocent, he has been falsely implicated in the present case and he is in jail since 24-10-2021. 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 to the applicant mentioning that seized liquor has been recovered from the illicit possession of the applicant. He further submits that, as per case diary, there is no criminal antecedent has been found registered against the applicant.
6. Considering the entire facts situation of the case and also for the fact that the applicant is in jail since 24-10-2021, I feel inclined to enlarge 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