

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8874 of 2021**

Dhananjaya Singh S/o Panchanand Singh Aged About 45 Years R/o Adarsh Para Supela, Bhilai District Durg, Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh Through Station House Officer Excise Thana Bhilai Circle 01, Durg, Chhattisgarh, District : Durg, Chhattisgarh

---- Respondent

For Applicant - Shri Ajay Kumrani, Advocate on behalf of Shri Aman Pandey, Advocate.
For Respondent/State - Shri Dinesh Tiwari, Dy. Government Advocate.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****15-11-2021**

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.79/2021-22, registered in Excise Circle Bhilai 01, District – Durg (C.G.) for the offence punishable under Section 34 (2), 36, 59 (क) of the Chhattisgarh Excise Act.
3. The applicant has been found in illicit possession of 35.100 bulk liters of country made liquor on 05-10-2021.
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 05-10-2021. 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. He further submits that, as per case diary, three criminal antecedents has been found against the applicant. Hence, he may not be released on bail.
6. Considering the entire facts and circumstances of the case; quantity of seized liquor recovered from the possession of applicant and also for the fact that he is in jail since 05-10-2021, 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