

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8909 of 2021**

Shivkumar S/o Dilsai Aged About 30 Years R/o Village- Thakurpur,
Police Station- Gandhi Nagar, Ambikapur, District- Sarguja,
Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through The Officer In Charge, Excise
Department, Ambikapur, District- Sarguja, Chhattisgarh

---- Respondent

For Applicant - Shri Shaleen Singh Baghel, Advocate.
For Respondent/State - Shri B.P. Banjare, Dy. Government Advocate

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****16-11-2021**

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.19/2021, registered in Excise Sub Inspector, Divisional Flying Squad, Sarguja Division, District – Sarguja (C.G.) for the offence punishable under Sections 34 (1) (क), 34 (2), 59 (क) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that the applicant has been found in illicit possession of 70 bulk liters of country made liquor (*Mahua*) on 27-09-2021.

4. Learned counsel for the applicant submits that the applicant is innocent, he has been falsely implicated in the present case and he is in jail since 27-09-2021. He further submits that this is the first crime registered against him. Hence, he may be enlarged on bail.
5. On the other hand, learned counsel for the State would oppose the bail application filed by the applicant. He further submits that, as per case diary, no criminal antecedent has been found against the applicant.
6. Considering the entire facts situation of the case; quantity of seized liquor recovered from the possession of applicant and also the detention period, 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