

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8810 of 2021**

Awdhesh Kumar Sinha S/o Late Tarachand Sinha Aged About 22 Years R/o Nehru Ward, Bhatapara Police Station Bhatapara City, District Baloda Bazar- Bhatapara Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Bhatapara City, District- Baloda Bazar- Bhatapara Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Anil Gulati, Advocate
For the State	:	Smt. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**11/11/2021**

1. Heard.
2. The applicant has filed this first bail application under Section 439 of the Cr.P.C. for grant of bail as he is in custody in connection with Crime No. 453/2021, registered at Police Station Bhatapara City, District – Baloda Bazar-Bhatapara (C.G.), for the offence punishable under Section 34 (2) of C.G. Excise Act.
3. As per prosecution story, in brief is that on 25/10/2021, 7.2 bulk liter of country made liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant submits that he is innocent and falsely implicated in the present case, trial will take much time, he is in jail since 25/10/2021, therefore, he be released on bail.

5. Per contra, learned State counsel opposed the bail application submits that as per case diary, applicant is habitual offender of cases under Excise Act and other Acts, hence he may not be granted bail.
6. Considered the facts and circumstances of the case, nature of gravity of offence, quantity of seized liquor, detention period of the applicant, I feel inclined to allow the bail application. It is directed that if the applicant furnishes two solvent sureties 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