

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9003 of 2021**

Sanjay Kumar Khande S/o Shri Kejuram Aged About 20 Years R/o Village Kekti, Police Station Takhatpur, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh Through Excise Sub Inspector, Excise Circle Bilaspur West, P.S. Takhatpur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant - Shri Ravindra Sharma, Advocate.
For Respondent/State - Shri Vimlesh Bajpai, Government Advocate.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****17-11-2021**

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.95/2021, registered in Excise Circle Bilaspur West, District – Bilaspur (C.G.) for the offence punishable under Sections 34 (1)(क) (च), 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 15 bulk liters of country made liquor (*Mahua*) on 25-10-2021.

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 25-10-2021. This is the first crime registered against the applicant. Hence, he may be enlarged on bail.
5. Learned State counsel would oppose the prayer for grant of bail. He further submits that, as per case diary, there is no criminal antecedent against the applicant.
6. Considering the entire facts situation of the case; material available on record and quantity of seized liquor recovered from the possession of applicant and also for the fact that the applicant is in custody since 25-10-2021, I feel inclined to release 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