

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8759 of 2021**

Ravi Bharti, S/o Late Raju Bharti, aged about 30 Years, R/o village Telikot, P.S. and Tahsil – Kharsiya, Dist – Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station Kharsiya, Dist. Raigarh (C.G.)

----Respondent

For Applicant : Mr. Sanjay Agrawal, Advocate.
For Non-applicant : Mrs. Smriti Shrivastava, Panel Lawyer.

Hon'ble Mr. Justice N.K. Chandravanshi**Order On Board****15-11-2021**

(1) As per applicant, this is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.

(2) The applicant has been arrested in connection with Crime No. 648/2021 registered at Police Station Kharsiya, Distt Raigarh (C.G.) for commission of offence punishable under Sections 34(2) & 59 (a) of C.G. Excise Act (As per FIR).

(3) Case of the prosecution, in brief, is that 48 bulk liters of illicit liquor was seized by the police from possession of the applicant on 24.10.2021 and thereby committed the aforesaid offences.

(4) Counsel for the applicant would submit that the applicant has been falsely implicated in the crime in question as he has not committed the alleged crime. He further submits this is first crime registered against the applicant; he has been arrested on 24.10.2021 and conclusion of trial is likely to take long time, therefore, the applicant may be released on bail.

(5) Per contra, the State counsel opposes the bail application filed by the applicant. She further submits that as per case diary, there is no previous criminal antecedents against the applicant.

(6) I have heard learned counsel for the parties and perused the case diary as well as material available on record.

(7) Looking to the entire facts and circumstances of the case, quantity of the liquor seized from the possession of the applicant and detention period of the applicant, I feel inclined to allow the bail application. Accordingly, the bail application is allowed.

(8) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(N.K.Chandravanshi)
Judge

D/-

