

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8772 of 2021**

Jitendra Vishwakarma S/o Shri Ishwar Vishwakarma Aged About 45 Years Occupation Welder, R/o Village Gangapur, Police Station Gandhi Nagar, Tahsil Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant**Versus**

The State of Chhattisgarh Through The Excise Sub Inspector, Incharge of Patrolling team Excise Department, Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicant - Shri Vijay Kumar Sahu, Advocate on behalf of
Shri Neeraj Mehta, Advocate.
For Respondent/State - Shri Sameer Oraon, Government Advocate.

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

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.29/2021, registered in Excise Sub Inspector, Incharge of Flying Squad, Excise Department, Ambikapur, District – Surguja (C.G.) for the offence punishable under Section 34 (1) A, 34 (2) & 59 (A) of the Chhattisgarh Excise Act.

3. The applicant has been found in illicit possession of 12 bulk liters of country made liquor (*Mahua*) on 24-10-2021.
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 24-10-2021. 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.
6. Considering the entire facts and circumstances of the case and the quantity of seized liquor recovered from the possession of applicant and also the detention period of applicant, I am 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