

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8808 of 2021**

Tikeshwar Narange S/o Shri Permeshwar Narange Aged About 28 Years R/o Vill.-Phundhardi, P.S.-Suhela, Dist-Baloda Bazar-Bhatapara Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through-S.H.O.-P.S. Excise Circle Simga, Dist-Baloda Bazar-Bhatapara Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Ravindra Sharma, Advocate
For the State	:	Shri Alok Nigam, Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi

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

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.32/2021 registered in Excise Circle – Simga. District - Baloda Bazar-Bhatapara (CG) for offence punishable under Section 34 (2), 59 (A) & 36 of C.G. Excise Act.
3. Prosecution story in brief is that on 28/10/2021, 7 bulk liter of country made liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant submits that the applicant has been falsely implicated in the instant case, he is innocent and he is in custody since 28/10/2021, therefore, he be released on bail.

5. On the other hand, learned State counsel opposed the bail application submits that as per impugned order one case of Excise Act and one case for the offence under IPC is pending against the applicant, which shows that he is habitual offender, hence he may not be enlarged on bail.
6. Considered the submissions made by both the counsel.
7. Considering the facts and circumstances of the case, nature and gravity of offence, quantity of the liquor seized from the illegal possession of the applicant and his detention period, I feel inclined to allow the bail application. 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.

CC as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE