

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8817 of 2021**

- Onkar Singh S/o Balvindar Singh Aged About 19 Years R/o 14-B/70 Pump House Colony Korba, District - Korba Chhattisgarh.

---- Applicant***Versus***

- State Of Chhattisgarh Through Police Station Simga, District - Baloda Bazar Bhatapara Chhattisgarh.

---- Respondent

 For Applicant : Shri Bhaskar Payashi, Advocate
 For Respondent/State : Shri Roshan Dubey, Panel Lawyer

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****24.11.2021.**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 28.10.2021 in connection with Crime No.507/2021 registered at Police Station Simga, Distt. Baloda Bazar - Bhatapara (C.G.), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. Allegation against the applicant is that he was found in illegal possession of 89.100 bulk liters of country made liquor.

3. 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 28.10.2021. He further submits that the applicant is young boy of 19 years and this is the first offence registered against the him, hence, he may be released on bail.

4. On the other hand, learned counsel for the State would vehemently oppose the bail application submits that huge quantity of liquor has been seized from the applicant. However, he submits that there is no criminal antecedent reported against the applicant.

5. I have heard learned counsel for the parties, perused the case diary and the material available on record.

6. Considering the entire facts and circumstances of the case, quantity of liquor seized from the possession of the applicant and also for the fact that the applicant is in jail since 28.10.2021 and there is no criminal antecedent reported against him, I am inclined to release the applicant on bail. Therefore, the application under Section 439 of the CrPC 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.

Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE