

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8848 of 2021**

Bolo Nishad S/o Arthram Nishad Aged About 32 Years R/o Manikpur,
Tahsil Baramkela, District Raigarh Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Sariya, District Raigarh Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Praglbha Sharma, Advocate appears on behalf of Shri Ashish Gupta, Advocate
For the State	:	Shri Samir Oraon, Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**12/11/2021**

1. Heard.
2. This is first bail application filed under Section 439 of Cr.P.C. for grant of regular bail to the applicant who has been arrested in connection with Crime No. 234/2021, registered at Police Station Sariya, District – Raigarh (C.G.), for the offence punishable under Sections 34 (2), 59 (A) of C.G. Excise Act.
3. The prosecution alleges that the applicant was found to be in possession of illicit country made liquor measuring 40 bulk liters and he was arrested on 23/10/2021.
4. Learned counsel for the applicant submits that he has been falsely implicated by the Police, he is innocent. He further submits that applicant is bread earner of his family, offence is

triable by Judicial Magistrate First Class and he is in custody since 23/10/2021, therefore, he be released on bail.

5. Per contra, learned State counsel opposes the prayer for grant of bail, however, he further submits that as per case diary there is no previous criminal antecedent against the present applicant.
6. Considered the submissions made by both the counsel.
7. Taking into consideration the totality of the circumstances, quantity of seized illicit liquor, offence is triable by Judicial Magistrate First Class, detention period of the applicant, 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