

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8863 of 2021**

Abhishek Sona S/o Shri Durjan Sona Aged About 24 Years R/o
Ganjpara Banstal, Raipur Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station
Ganj, District Raipur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Praglbha Sharma, Advocate
For the State	:	Shri Dinesh Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi

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

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. 185/2021, registered at Police Station Ganj, District – Raipur (C.G.), for the offence punishable under Section 34 (2) of C.G. Excise Act.
3. Prosecution story in brief is that on 19/09/2021, 5.400 bulk liter of country made liquor has been seized from the illegal possession of applicant.
4. Learned counsel for the applicant would submit that applicant is innocent, he has been falsely implicated, no seizure has been made from the applicant, he is in jail since 19/09/2021, charge-sheet has been filed, hence he may be enlarged on bail.

5. Per contra, learned State counsel opposes the prayer for grant of bail, however, he further submits that 14 criminal cases have been registered against the present applicant in various Police Station of Raipur disclosed that he is habitual offender. He also submits that those cases are for the offences under IPC and Arms Act. As per the case diary no case has been registered against him for the crime of this nature.
6. Considered the submissions made by both the counsel. Perused the case diary as well as material available on record.
7. Considering the facts and circumstances of the case, nature of gravity of offence, quantity of seized liquor, detention period of the applicant and also taking into consideration that charge-sheet has been filed, 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