

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8903 of 2021**

Rahul Thawait S/o Murari Lal Thawait Aged About 19 Years Cast-Thawait, R/o Village Khokhara, Thana Janjgir, District - Janjgir-Champa (C.G.).

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Janjgir, District - Janjgir-Champa (C.G.).

---- Respondent

For the Applicant	:	Shri Vikas Pradhan, Advocate
For the State	:	Shri Samir Oraon, Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**15/11/2021**

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.72/2021, registered at Excise Circle – Pamgarh, District – Janjgir-Champa (C.G.), for the offence punishable under Section 34 (2) of C.G. Excise Act.
3. As per prosecution story that on 30/10/2021, 30 bulk liter of country made liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant argued that applicant is innocent and falsely implicated in the instant case, this is first crime registered against the present applicant, he is only bread earner of his

family, he is in jail since 30/10/2021, therefore, he be released on bail.

5. On the other hand, the State counsel opposed the bail application mentioning that Illicit liquor has been seized from illegal possession of the applicant, hence he may not be enlarged on bail.
6. Considered the submissions made by both the counsel.
7. Looking to the facts and circumstances of the case and quantity of the liquor seized from the illegal possession of the applicant, his detention period, offence is triable by Judicial Magistrate First Class, 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