

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8941 of 2021**

Sadanand Urf Shani S/o Late Gangadhar Sidar Aged About 26 Years
R/o Village Dabhra, Tahsil And Police Station- Baramkela, District-
Raigarh (C.G.).

---- Applicant

Versus

State Of Chhattisgarh Through- S.H.O. Of The Police Station-
Baramkela, District- Raigarh (C.G.), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Abhishek Saraf, Advocate
For the State	:	Shri Dinesh Tiwari, Dy. Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**16/11/2021**

1. Heard on the first bail application filed by the applicant under Section 439 of the Cr.P.C. He has been arrested in connection with Crime No 311/2021, registered at Police Station Baramkela, District – Raigarh (C.G.) for offence punishable under Sections 34 (2), 59 (A) of C.G. Excise Act.
2. As per the case of prosecution that on 31/10/2021, 10 bulk liter of country made liquor has been seized from the illegal possession of applicant.
3. It is submitted by learned counsel for the applicant that he is innocent and falsely implicated by the Police in the instant case, he is bread earner of his family and he is in jail since 31/10/2021, hence he be released on bail.
4. On the other hand, learned State counsel opposes the bail

application and submits that there is one previous criminal antecedent has been registered against the present applicant for the same offence, therefore, his bail application is liable to be rejected.

5. Considered the submissions made by both the counsel.
6. Looking to the facts and circumstances of the case and quantity of the liquor seized from the illegal possession of the applicant, 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