

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9266 of 2021**

Avinashi Sonwani S/o Jogiram Sonwani, Aged About 30 Years R/o Village Amartal, Ward No. 2, Police Station Akaltara, District - Janjgir - Champa Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The District Magistrate, District - Janjgir - Champa Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Basant Dewangan, Advocate appears on behalf of Shri C.P. Lahre, Advocate
For the State	:	Shri V.K. Agrawal, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**26/11/2021**

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. 90/2021, registered at Excise Circle Akaltara, District - Janjgir-Champa (C.G.), for the offence punishable under Section 34(1)(फ), 34 (2) of C.G. Excise Act.
3. Case of the prosecution in brief is that on 22/10/2021, 17 bulk liter of hand made liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant submits that he is innocent and falsely implicated in this case, he is in custody since 22/10/2021, hence he be released on bail.

5. On the other hand, learned State counsel opposes the bail application. He submits that earlier five cases have been registered against the present applicant, out of which two cases under Excise Act and three cases under preventive action have been registered against the applicant. He further submits that he is habitual offender, therefore, he may not be granted bail.
6. I have heard learned counsel for both the parties and perused the material available on record.
7. Taking into consideration the quantity of the liquor seized and also having considering the facts and circumstances of the case, 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