

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9138 of 2021**

Munna Gupta S/o Shri Saw, Aged About 50 Years R/o. Village Riri,
Police Station Lundra, District Surguja Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Excise Circle, Ambikapur, District
Surguja Chhattisgarh (Police Station Is Wrongly Mention In Rejection
Order), District : Surguja (Ambikapur), Chhattisgarh .

---- Respondent

For the Applicant	:	Shri Govind Dewangan, Advocate
For the State	:	Shri Amit Verma, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**24/11/2021**

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.31/2021, registered at Excise Circle, Ambikapur, District – Surguja (C.G.), for the offence punishable under Sections 34 (1) (a) (b), 34 (2) and 59-A of C.G. Excise Act.
3. As per prosecution story on 03/11/2021, 15 bulk liter of country made liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant submits that the applicant is innocent, he has been falsely implicated, he is in custody since 03/11/2021, hence he be released on bail.

5. On the other hand, learned State counsel vehemently opposes the bail application. He submits that four criminal cases have been registered against the present applicant, but on being asked he submits that three cases under Excise Act are of the year 1998, 2001 & 2012 and one case of theft is of the year 2005, hence 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. Considering the nature and gravity of the offence and quantity of seized liquor, the 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