

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9037 of 2021**

Nikhil Jain S/o Pawan Kumar Jain Aged About 22 Years R/o Tethwar Mohalla, Shivpara Station Maroda, P.S. Newai, Tehsil and District Durg Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh Through S.H.O. Police Station Newai, District Durg Chhattisgarh.

---- Respondent

For Applicant - Ms. Priya Sharma, Advocate.
For Respondent/State - Shri Dinesh Tiwari, Dy. Government Advocate.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****18-11-2021**

1. Heard.
2. The applicant has preferred the first bail application under Section 439 of the Cr.P.C. for grant of regular bail, as he has been arrested in connection with Crime No.368/2021, registered at Police Station - Newai, District – Durg (C.G.) for the offence punishable under Sections 34 (2) of the Chhattisgarh Excise Act.
3. Allegation against the applicant is that on 11-10-2021, the applicant was found in illicit possession of 07.200 bulk liters of country made liquor.

4. Learned counsel for the applicant submits that the applicant is innocent, he has been falsely implicated in the present case and he is in jail since 11-10-2021. He further submits that this is the first crime registered against the applicant. Hence, he may be enlarged on bail.
5. Learned State counsel would oppose the prayer for grant of bail. He further submits that, as per case diary, there is no criminal antecedents against the applicant.
6. Considering the entire facts and circumstances of the case; material available on record and the fact that the applicant is in custody since 11-10-2021, I feel inclined to release the applicant on bail.
7. Accordingly, the present bail application is allowed. 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.

SD/-

(N.K. Chandravanshi)

Judge

Amardeep