

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9157 of 2021**

Santosh Pandey S/o Budhram Pandey Aged About 36 Years R/o Kukrachunda Police Station Bhatapara Gramin, District Baloda Bazar-Bhatapara (Chhattisgarh)

---- Applicant**Versus**

State of Chhattisgarh Through-Station House Officer, Police of Police Station Bhatapara Gramin, District- Baloda Bazar- Bhatapara (Chhattisgarh)

---- Respondent

For Applicant - Shri Anil Gulati, Advocate.
For Respondent/State - Shri Sudhir Sahu, Panel Lawyer.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****23-11-2021**

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.222/2021, registered at Police Station – Bhatapara Gramin, District – Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 23-06-2021, the applicant was found in illicit possession of 08.640 bulk liters of foreign liquor.

4. Learned counsel for the applicant submits that the applicant is innocent, he has been falsely implicated in the present case and the applicant was arrested on 24-06-2021. Moreover, as per memo of the bail application, the applicant has been released on interim bail on 09-07-2021.
5. Learned State counsel would vehemently oppose the bail application filed by the applicant. He further submits that, as per case diary, there are seventeen criminal antecedents registered against the applicant, which shows that he is an habitual offender. Hence, his bail application is liable to be rejected.
6. Considering the entire facts and circumstances of the case; nature and gravity of offence; quantity of liquor seized from the possession of the applicant and the period of detention, I am 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