

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9130 of 2021**

Bhagirathi Mehar S/o Fatturam Mehar, Aged About 32 Years R/o Village Achhonia, Police Station Tumgaon, Tehsil And District Mahasamund (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Excise Circle, Mahasamund, District Mahasamund (Chhattisgarh)

---- Respondent

For the Applicant	:	Shri Arun Kumar Shukla, Advocate
For the State	:	Shri Alok Nigam, Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**22/11/2021**

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. 72/2021, registered at Excise Circle, Mahasamund, District – Mahasamund (C.G.), for the offence punishable under Section 34 (2) of C.G. Excise Act.
3. Case of the prosecution in brief is that on 11/11/2021, 16 bulk liter of country made liquor has been seized from the illegal possession of applicant.
4. It is submitted by counsel for the applicant that this is first crime registered against the present applicant, he is innocent and falsely implicated in this case, no seizure has been made from him, he is in jail since 11/11/2021, hence he be released on bail.

5. On the other hand, the State counsel opposed the bail application. He submits that alleged liquor has been seized from illegal possession of the applicant. He further submits that as per case diary there is no previous criminal antecedent against the present applicant.
6. Considered the submissions made by both the counsel.
7. Considering the facts and circumstances of the case no previous criminal antecedent against the applicant, his detention period, offence is triable by Judicial Magistrate, 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