

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9197 of 2021**

Kailash Jagat S/o Chaituram Jagat Aged About 50 Years R/o Ward No. 13, Fulwari Para, Bagbahra, District - Mahasamund, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Bagbahra, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant - Shri Trevenee Shankar Sahu, Advocate.
For Respondent/State - Shri Anil Tripathi, Panel Lawyer.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****24-11-2021**

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.251/2021, registered at Police Station- Bagbahra, District – Mahasamund(C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 01-11-2021, the applicant was found in illicit possession of 20 bulk liters of country made liquor (*Mahua*).

4. Learned counsel for the applicant submits that the applicant is innocent, he has been falsely implicated in the present case and the applicant is in jail since 01-11-2021. He further submits that this is the first crime registered against the applicant also he is the sole bread earner of his family. Hence, he may be enlarged on bail.
5. On the other hand, learned State counsel would oppose the bail application filed by the applicant. He further submits that as per case diary, there is no criminal antecedent registered against the applicant.
6. Considering the entire facts situation of the case, material available on record, quantity of liquor seized from the possession of the applicant and also for the fact that the applicant is in jail since 01-11-2021, I am inclined to grant bail to the applicant.
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