

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9259 of 2021**

Devendra Nishad S/o Jalram Nishad Aged About 34 Years R/o Atal Bihari Vajpayee Ward No. 38 Dharampura No. 1, Police Station Kotwali Jagdalpur, District Bastar, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Excise Circle Jagdalpur, District Bastar, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Anil Gulati, Advocate appears on behalf of Shri P.K. Tulsyan, Advocate
For the State	:	Ms. Smiti Shrivastava, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**25/11/2021**

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. 83/2021, registered at Police Station Jagdalpur, District – Bastar (C.G.), for the offence punishable under Sections 34(1)A, 34(2), 59(A) of C.G. Excise Act.
3. As per prosecution story on 06/11/2021, 15 bulk liter of country made liquor and 80 Kg. Mahua Lahan have been seized from the illegal possession of applicant.
4. Learned counsel for the applicant submits that this is first crime registered against the present applicant, he is innocent and falsely implicated in the present case, he is in jail since

06/11/2021, hence he be released on bail.

5. On the other hand, the State counsel opposes the bail application. She submits that huge quantity of liquor has been seized from the illegal possession of the applicant. She further submits that in case diary no previous criminal antecedent has been shown against the present applicant.
6. Considered the submissions made by both the counsel.
7. Having considered the facts and circumstances of the case, quantity of seized liquor, 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