

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.9250 of 2021**

Suraj Kumar Sidar S/o Late Ajit Ram Sidar Aged About 39 Years R/o Village Kandola, Thana Sariya, District- Raigarh (C.G.).

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station Sariya, District- Raigarh (C.G.) .

---- Respondent

For the Applicant	:	Shri Anshuman Rabra, Advocate
For the State	:	Ms. Smiti Shrivastava, P.L.

Hon'ble Shri Justice N.K. Chandravanshi

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

1. As per applicant, this is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No. 245/2021 registered in Police Station Sariya, District – Raigarh (CG) for offence punishable under Sections 34 (2), 59 (a) of C.G. Excise Act.
3. Prosecution story in brief is that on 16/11/2021, 40 bulk liter of country made liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant submits that the applicant is innocent, he has been falsely implicated, he is in jail since 16/11/2021, hence he be released on bail.

5. Per contra, learned State counsel opposes the bail application. She submits that as per case diary, two cases of preventive action have been registered against the applicant, but under Excise Act no offence of similar nature has been registered earlier against the applicant.
6. I have heard learned counsel for both the parties and perused the material available on record.
7. Looking to the facts and circumstances of the case and quantity of the liquor seized from the illegal possession of the applicant, applicant is in jail since 18/11/2021, 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