

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9354 of 2021**

Premlal, S/o Kunna Lal Gond, Aged About 22 Years R/o - Sabariya Dera, Tundri, Police Station Bilaigarh, District - Balodabazar - Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through The Police Station Bilaigarh, District Balodabazar Bhatapara. Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant - Ms. Supriya Upasane, Advocate.
For Respondent/State - Shri Ajay Kumrani, Panel Lawyer.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****26-11-2021**

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.190/2021, registered at Police Station – Bilaigarh, District – Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 14-11-2021, the applicant was found in illicit possession of 50 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 14-11-2021. Hence, he may be enlarged on bail.
5. Per contra, learned State counsel would oppose the bail application filed by the applicant. He further submits that, as per case diary, there are four criminal antecedents has been shown against the applicant, which shows that he is an habitual offender. Hence, he may not be released on bail.
6. Having considered the entire facts situation of the case, nature and gravity of offence, quantity of liquor seized from the possession of the applicant and also 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