

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10340 of 2021**

Pankaj Banjare S/o Bhagat Banjare Aged About 30 Years R/o Village-
Ookarband, Police Station- Khallari, District- Mahasamund
(Chhattisgarh)

---- Applicant

Versus

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

---- Respondent

For the Applicant	:	Shri Sachin Nidhi, Advocate
For the State	:	Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board**30/12/2021**

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.18/2021, 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 21/12/2021, 7 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 and has been falsely implicated in this case, false seizure has been made from him, he is in jail since 21/12/2021 and he is permanent resident of Village – Ookarband, P.S. Khallari, District

Mahasamund (C.G.), hence he may be enlarged on bail.

5. On the other hand, the State counsel controverted the submission of counsel for the applicant stating that as per impugned order; there is one previous criminal antecedent against the applicant of same nature of offence, hence he may not be granted bail.
6. Considered the submissions made by both the counsel.
7. Looking to the facts and circumstances of the case and quantity of the liquor seized from the illegal possession of the applicant, he is in jail since 21/12/2021, offence is triable by Judicial Magistrate First Class, 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.
8. In view of above, I.A. No. 1/2021, application to list the case during winter vacation and I.A. No. 2/2021, application for urgent hearing stand disposed of.

CC as per rules.

Sd/-
(N.K. Chandravanshi)
VACATION JUDGE