

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8351 of 2021**

Gouri Shankar S/o Shri Govind Ram Aged About 27 Years R/o Village Mamdiha P.S. Tapkara District Jashpur Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, P.S. Tapkara District Jashpur Chhattisgarh.

---- Respondent

For Applicant - Shri Anway Tiwari, Advocate on behalf of Shri J.K. Gupta, Advocate for the applicant.
For Respondent/State - Shri Shrikant Kaushik, Panel Lawyer.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****29-10-2021**

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.90/2021, registered at Police Station – Tapkara, District – Jashpur (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 06-09-2021, the applicant has been found in illicit possession of 8 bulk liters of country made liquor (*Mahua*).

4. Learned counsel for the applicant would submit that the applicant is innocent, he has been falsely implicated in the instant case and he is in jail since 06-09-2021. He further submits that this is the first crime registered against him. Hence, he may be enlarged on bail.
5. Learned counsel for the State would oppose the prayer for grant of bail. He further submits that as per case diary, there is no criminal antecedent has been found against the applicant.
6. Considering the submissions made by learned counsel for both the parties and quantity of liquor seized from the applicant and also for the fact that the applicant is in jail since 06-09-2021, I feel 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