

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 10304 of 2021**

Shyam Sundar Darro, S/o. Shri Sukhram Darro, aged about 36 years, R/o Village-Koyalibeda, Thana – Koyalibeda, Distt.- North Baster, Kanker (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through Excise Officer, Excise Circle Antagarh, Distt. - North Baster, Kanker (C.G.)

----Non-applicant

For Applicant	:	Mr. Sumit Shrivastava, Advocate.
For Non-applicant	:	Mr. K.K. Singh, Govt. Advocate.

Hon'ble Mr. Justice N.K. Chandravanshi**Order On Board**

30-12-2021

(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. 16/2021 registered at Excise Circle, Antagarh, Distt. North Baster, Kanker (C.G.) for commission of offence punishable under Sections 34(2) & 59 (A) of C.G. Excise Act.

(3) Case of the prosecution, in brief, is that the applicant was found in possession of 40 bulk liters of country made liquor on 17.12.2021 and thereby committed the aforesaid offences.

(4) Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question as no seizure has been made from him. He further submits that the applicant has been arrested on 17.12.2021 and there is no previous criminal antecedents against the applicant. He also submits that the applicant s permanent resident of District

North Bastar, Kanker, therefore, there is no chance to influence the prosecution witnesses and absconding of the accused/applicant and conclusion of the trial is likely to take considerable time, thus, the applicant may be enlarged on bail.

(5) Per contra, Counsel for the State opposes the bail application filed by the applicant.

(6) I have heard learned counsel for the parties.

(7) Looking to the entire facts and circumstances of the case, quantity of the liquor seized from the possession of the applicant and detention period of the applicant, I feel inclined to allow the bail application. Accordingly, the bail application is allowed.

(8) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(N.K.Chandravanshi)
Vacation Judge

D/-

