

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2955 of 2022**

Sohan Yadav S/o Bisesar Yadav Aged About 23 Years R/o Village Boharidas, Police Station Utai, Tehsil Patan, District Durg Chhattisgarh.

---- Applicant

**Versus**

State Of Chhattisgarh Through District Magistrate, Durg District Durg, Chhattisgarh.

---- Respondent

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For Applicant : Shri Anmol Sharma, Advocate.  
For Respondent/State : Shri Neeraj Pradhan, Panel Lawyer.

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**Hon'ble Shri Justice N.K. Chandravanshi**

**Order On Board**

**31/03/2022**

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.46/2022, registered at Police Station-Utai, District – Durg (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Prosecution story, in brief, is that on 05-02-2022, 14.400 bulk liters of country made liquor has been seized from the illegal possession of applicant.
4. Counsel for the applicant argued that the applicant is innocent, he has been falsely implicated in the present case, he is in jail since 05-02-2022. Charge sheet has been filed. He further submits that no seizure memo has been made from him and this is the first crime registered against the applicant, hence, the applicant may be released on bail.

5. Learned State counsel oppose the bail application filed by the applicant.
6. Considered the submission and material available on record.
7. Considering the entire facts situation of the case, nature and gravity of offence, quantity of the liquor seized from the possession of the applicant, charge sheet has already been filed and also for the fact that the applicant is in jail since 05-02-2022, I feel inclined to allow the bail application.
8. Accordingly, the present bail application is allowed. It is directed that if the applicant furnishes one 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

Amardeep