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<u>HIGH COURT OF CHHATTISGARH, BILASPUR</u>

M.Cr.C. No. 1514 of 2022

Jagat Singh Yadav, S/o Chandan Singh Yadav, aged about 40 years, R/o Village Navapali, Police Station: Baramkela, Tahsil Sarangarh, District Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police Station: Baramkela, District: Raigarh (C.G.)

----Non-applicant

For Applicant : Mr. Jitendra Shukla, Advocate. For Non-applicant : Mr. Ravi Maheshwari, P.L.

Hon'ble Mr. Justice N.K. Chandravanshi

Order On Board

03-03-2022

Heard.

- 1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail in connection with Crime No. 32 of 2022 registered at Police Station Baramkela, District Raigarh for the offence punishable under Sections 34 (2) & 59(A) of the C.G. Excise Act.
- 2. As per the case of the prosecution, on 31.01.2022, the applicant was found in possession of 10 bulk liters of country made liquor (*Mahua*), which he was carrying unauthorizedly for sale.
- 3. 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 and it is case of illegal possession of 10 bulk liters of

country made liquor. The applicant is in custody since 01.02.2022. It is further submitted that father of the applicant namely Chandan Singh Yadav has expired on 22.02.2022, hence, the applicant may be released on regular bail.

4. Learned counsel for the State would submit that as per case

diary, there is no criminal antecedents against the applicant.

5. I have heard learned counsel for the parties and perused the

case diary.

6. Considering the facts and circumstances of the case, nature and

gravity of the offence, quantity of the liquor seized from the possession

of the applicant; detention period of the applicant and particularly

taking into consideration the fact that father of applicant namely

Chandan Singh Yadav has expired on 22.02.2022, I feel inclined to

allow the bail application. Accordingly, the bail application is allowed.

7. 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, today.

Sd/-

(N.K.Chandravanshi)

Judge