



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3395 of 2023**

Bhupesh Baghel, S/o Sirpati Baghel, Aged about -26 years, R/o Village Seoni, P.S. Bhanpuri, District Bastar (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: Police Station Bakawand, District Bastar (C.G.)

----Non-applicant

For Applicant : Mr. Praveen Kumar Tulsyan, Advocate.
For Non-applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Mr. Justice N.K. Chandravanshi

Order On Board**12-05-2023**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 29.04.2023 in connection with Crime No. 23/2023 registered at Police Station Bakawand, District Bastar (C.G.) for commission of offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.

2. Case of the prosecution, in brief, is that present applicant was found in illicit possession of 31.200 bulk liters of Foreign liquor, which he was transporting unauthorizedly for sale in Maruti Suzuki Swift Car bearing registration No. CG 16 B 0755.

3. Counsel for the applicant submits that applicant is innocent and he has been falsely implicated in the crime in question. It is submitted false and concocted seizure has been prepared against the applicant.



It is lastly submitted the this is first crime registered against the applicant and he is in detention since 29.04.2023, therefore, he may be enlarged on bail.

4. Per contra, learned counsel for the State opposes the bail application. She would submit that, no criminal antecedent has been reported against the applicant.

5. I have heard learned counsel for the parties and perused the case diary as well as material available on record.

6. Considering the entirety of the the facts and circumstances of the case, particularly considering the quantity of liquor seized from the possession of the applicant, also considering the pri trial detention of the applicant and the fact that no criminal antecedent has been reported against the applicant, 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 two sureties 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.

Sd/-

(N.K.Chandravanshi)
Judge

Amit/-

