

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6168 of 2018**

1. Daulat Nayak, son of Shri Munshiram Nayak, aged about 24 years.
 2. Vijay Nishad, son of Pardeshi Ram Nishad, aged about 28 years.
- Both are resident of Village Pacheda, Thana Khallari, District Mahasamund.

---- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Khallari, District Mahasamund.

---- Non-applicant

For Applicants : Mr. Vikash Pradhan, Advocate.
 For Non-applicant : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

10.09.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. The applicants have been arrested in connection with Crime No.132/2018 registered at Police Station Khallari, District Mahasamund for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 26.07.2018, 20 bulk liters hand made country liquor has been seized from the applicants.
4. Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents is reported against the applicants in police case diary.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is directed that if the applicants furnishes one solvent surety for a sum of Rs.20,000/- each along with a personal bond of Rs.20,000/- to the satisfaction of the concerned Trial Court, they be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-