

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5998 of 2018**

- Dwarika Prasad Sahu S/o Late Fatte Sahu Aged About 48 Years R/o- Bacharwar, P.S. Pendra, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S. Pendra, District- Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicant : Shri Nitesh Kumar Jaiswal, Advocate

For Non-applicant : Shri Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**04.09.2018**

1. 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. 266/2018 registered at Police Station – Pendra, District – Bilaspur (C.G.) for the offence punishable under Section 34(2) and 59(A) of the C.G. Excise Act.
3. Case of the prosecution, in brief is that on 31.07.2018, 7 bulk liters hand made country liquor has been seized from the applicant.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail

application. He further submits that there is no antecedent against the applicant.

6. Looking to the above facts and circumstances of the case, the application is allowed. It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs. 25,000/- to the satisfaction of the concerned Trial Court, he be released on bail.

7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE