

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6140 of 2018**

- Setkumar S/o Jairam Aged About 37 Years R/o Bataupali (B), Tahsil Sarangarh, District Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Outpost- Kanakbira, Police Station Sarangarh , District Raigarh, Chhattisgarh.

---- Non-applicant

For Applicant : Shri Manoj Jaiswal, Advocate

For Non-applicant : Shri Vinod Tekam, 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 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. 435/2018 registered at Out Post Kanakbira, Police Station –Sarangarh, District – Raigarh (C.G.) for the offence punishable under Section 34(1)(A), 34(2), 59(A) of the C.G. Excise Act.
3. Case of the prosecution, in brief is that on 17.07.2018, 7 bulk liters country made 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 two cases have already been registered against the applicant under the Excise Act .

6. Looking to the above facts and circumstances of the case, the application is allowed. It is directed that if the applicant furnishes two solvent sureties each for a sum of Rs.25,000/- along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve himself in any crime in future, he be released on bail.

7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE