

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6239 of 2018**

Tapeshwar Yadav S/o Shri Ramhayee Lal Yadav Aged About 25 Years
Occupation- Student, R/o- Village- Sinchayee Colony, Ambikapur,
District- Surguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer, Police
Station- Gandhi Nagar, Ambikapur (Rural), District- Surguja
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Dashrath Kushwaha, Advocate
For the State	:	Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**10/09/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.175/2018 registered in Police Station Gandhinagar, Ambikapur (Rural), Surguja, District Surguja (C.G.) for the offence punishable under Section 34(2) of CG Excise Act.
3. Case of the prosecution, in brief is that on 21/07/2018, 7.2 bulk liters foreign liquor has been seized from the possession of the applicant.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated, hence, he be released on bail.
5. On the other hand, the State opposed the bail application. She further submits that there is no antecedent against him.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 20,000/- along with one personal bond of Rs. 20,000/- to the satisfaction of the trial Court concerned, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge