

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6390 of 2018**

Lakheshwar Prasad Dhiwar S/o Makhan Lal Dhiwar Aged About 28 Years R/o Village Datan, Police Station And Tahsil Palari, District-Baloda Bazar- Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Palari, District- Balodabazar, Bhatapara, Chhattisgarh.

---- Respondent

For the Applicant	:	Ms. Sunita Sahu, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**17/09/2018**

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.418/2018 registered in Police Station Palari, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34(2) of CG Excise Act.
3. Case of the prosecution, in brief is that on 15/08/2018, 16.02 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. He further submits that three other cases have already been registered against him under the Excise Act.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in any of the crime in future, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge