

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6379 of 2018**

1. Kishore Kumar Banjare @ Raja Banjare S/o Late Shri Ghanaram Banjare Aged About 27 Years R/o Village - Rasedi, Thana and Tahsil - Balodabajar, Civil And Revenue District Balodabazar - Bhatapara CG
2. Ajay Kumar Kosale S/o Shri Gorelal Kosale Aged About 26 Years R/o Village Raseda, Thana And Tahsil Balodabazar Civil And Revenue District Balodabazar Bhatapara CG

---- Applicants**Versus**

The State of Chhattisgarh through the Station House Officer,
Police Station City Kotwali Balodabajar, Civil and Revenue
District Balodabajar- Bhatapara CG

---- Non-applicants

For applicants Mr. Sunil Sahu, Adv.
For non-applicant/State Mr. Vinod Tekam, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****17-9-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no bail application is pending before any other court.
2. The applicants have been arrested in connection with Crime No. 494/2018 registered in police station City Kotwali, Balodabajar, Distt. Balodabajar- Bhatapara (CG) for offence punishable under Section 34(2) of the CG Excise Act.
3. Prosecution story in brief is that on 21-8-2018, from applicant No. 1 Kishore Kumar Banjare alias Raja Banjare 5.820 bulk litre foreign and country liquor and from applicant No. 2 Ajay Kumar Kosale, 1.440 bulk litre foreign liquor has been seized.
4. Counsel for the applicants argued that the applicants are innocent and have been falsely implicated hence they be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has

been reported against applicants in the police case diary.

6. Looking to the above facts and circumstances of the case, application is allowed. It is ordered that if each applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, they be released on bail.
7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge