

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.6610 of 2018**

Santosh Kumar Gupta, S/o late Dhaniram Gupta, Caste Gupta, R/o New Bus Stand Pendra, Tahsil & Thana Pendra, District Bilaspur (CG). ---- **Applicant**

Versus

State of Chhattisgarh, through Police Station Pendra, District Bilaspur (CG). ---- **Non-applicant**

For Applicant : Mr. Abhishek Pandey, Advocate.

For Non-applicant : Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****25.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.10/2018 registered in Police Station Pendra, District Bilaspur for the offence punishable under Sections 34(2), 59(A) and 36 of the Chhattisgarh Excise Act.
3. Prosecution story in brief is that on 17.08.2018, 5.40 bulk liters foreign liquor has been seized from the applicant.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. He further submits that previously two criminal cases under Sections 147, 148 & 307 of IPC and one case under Sections 107 & 116 of Cr.P.C. have been registered 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 two solvent sureties each for a sum of Rs.25,000/- along with one personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that 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**

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