

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.6832 of 2018**

Gendlal, son of Shri Shiv Dayal Satnami aged about 60 years, resident of Khutu Road Kawardha, Police Station and Tahsil Kawardha, District Kabirdham (CG).

---- Applicant**Versus**

State Of Chhattisgarh, through Excise Circle Kawardha, District Kabirdham (CG).

---- Non-applicant

For Applicant : Mr. Devesh Chandra Verma, Advocate

For Non-applicant : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

03.10.2018

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.43/2018 registered in Police Station Excise Circle Kawardha, District Kabirdham for the offence punishable under Sections 34(1)(A) & 34(2) of the Chhattisgarh Excise Act.
3. Prosecution story in brief is that on 21.08.2018, 6.480 bulk liters country made 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, out of which, one case under IPC and one case under Excise Act has already been registered against the applicant.
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****L**