

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6755 of 2018**

1. Radheshyam Sonwani And Anr. S/o Sukhram Sonwani Aged About 53 Years,
2. Ajay Sonwani S/o Radheshyam Sonwani Aged About 19 Years R/o Village Chuchrungpur, P.S. Suhela, District - Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Suhela, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri S.S. Baghel, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****03/10/2018**

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 applicants have been arrested in connection with Crime No.161/2018 registered in Police Station Suhela, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 34 (2), 36 of CG Excise Act.
3. Case of the prosecution, in brief is that on 17/08/2018, 6.48 bulk liters foreign liquor has been seized from the possession of the applicants.
4. Counsel for the applicants argued that the applicants are innocent and has been falsely implicated, hence, they be released on bail.
5. On the other hand, the State opposed the bail application. He further submits that total four other criminal cases have been registered against the applicant No.1 Radheshyam Sonwani, two cases under 107, 117 of CrPC and two cases under Excise Act. No antecedents against the applicant No. 2 Ajay Sonwani.
6. At this stage counsel for the applicant Shri S.S. Baghel submits that he does not press the bail application of applicant No. 1 Radheshyam Sonwani, thus the bail application of applicant No. 1 Radheshyam Sonwani is rejected as not pressed.
7. Looking to the above facts and circumstances of the case, the application of applicant No. 2 Ajay Sonwani is allowed. It is ordered that if the applicant No.

2 Ajay Sonwani furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of Rs. 25,000/- to the satisfaction of the trial Court concerned, he be released on bail.

8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde