

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7719 of 2018**

1. Surat Kante, S/o Late Laxman Kante Aged About 56 Years R/o Village - Tarda, Tahsil And Police Station Pusaur, District - Raigarh, Civil And Revenue District - Raigarh, Chhattisgarh.
2. Chhabilal Saral S/o Late Gajanand Saral Aged About 49 Years R/o Village Kodpali, Tahsil And Police Station Pusaur, District - Raigarh, Chhattisgarh.

---Applicants**Versus**

State Of Chhattisgarh Through Police Station Pusaur, District - Raigarh, Chhattisgarh.

---- Non-applicant

For Applicants : Mr. Manoj Kumar Sinha, Advocate.

For Non-applicant : Mr. Ashok Kumar Swarnakar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

22.10.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. The applicants have been arrested in connection with Crime No.203/2018 registered at Police Station Pusaur, District Raigarh for the offence punishable under Sections 34(1) & 59 (A) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 27.09.2018, 43.200 bulk liters country made liquor has been seized from the applicants.
4. Counsel for the applicant submits that the applicants are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents is reported against the applicants in police case diary.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is directed that if the applicants furnishes one solvent surety for a sum of Rs.25,000/- each along with a personal bond of Rs.25,000/- each to the satisfaction of the concerned Trial Court, they be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE