

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8127 of 2018

Maheshwar Diwan S/o Shri Jumman Diwan Aged About 35 Years R/o Village Katalbod, Police Station Kurud, Tahsil Kurud, District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Magarlod District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sachin Nidhi, Advocate
For the State	:	Shri Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**26/10/2018**

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 applicant has been arrested in connection with Crime No.238/2018 registered in Police Station Magarlod, District Dhamtari (C.G.) for the offence punishable under Section 34(2) of CG Excise Act.
3. Case of the prosecution, in brief is that on 28/09/2018, 5.400 bulk liters of country liquor has been seized from the possession of the applicant.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated, hence, he be released on bail.
5. On the other hand, the State opposed the bail application. He further submits that there is no antecedent 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 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge