

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8173 of 2018**

1. Lav Pradhan, S/o late Shyam Sunder Pradhan, aged about 30 years, R/o Village Baddhara, Post Kanaktura, Police Station Rengali, District Jharsugada.
2. Lalit Behra, S/o late Vikram Behra, aged about 20 years, R/o Village Baddhara, Post Kanaktura, Police Station Rengali, District Jharsugada (Orissa).

---- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Chakradhar Nagar, District Raigarh(CG).

---- Non-applicant

For Applicants : Mr. Prabhat Kumar Saxena, Advocate.

For Non-applicant : Mr. Neeraj Kumar Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27.10.2018**

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.369/2018 registered at Police Station Chakradhar Nagar, District Raigarh for the offence punishable under Sections 34(2) & 59(A) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 08.10.2018, 16.500 bulk liters hand made country liquor has been seized from the applicants.
4. Counsel for the applicants 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 antecedent 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