

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8154 of 2018**

1. Ajay Kurre, son of late Baniya Lal Kurre, aged about 23 years, R/o Village Dumar, P.S. Nandini, Tahsil & District Durg (CG).
2. Prabhu Barle, son of Khelu Barle, aged about 19 years, R/o Ward No.4, Sanjay Nagar, Ahiwara, P.S. Nandini, District Durg(CG).

**---- Applicants****Versus**

State of Chhattisgarh, through District Magistrate, Durg, P.S. Nandini, District Durg (CG).

**---- Non-applicant**

For Applicants : Mr. Tarun Dansena, Adv. on behalf of Mr. Jitendra Gupta, Advocate.

For Non-applicant : Mr. Suryakant Mishra, Panel Lawyer

**Hon'ble Shri Justice Sharad Kumar Gupta****Order On Board****31.10.2018**

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.267/2018 registered at Police Station Nandini, District Durg for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 07.10.2018, 3.42 bulk liters country made liquor from the applicant No.1 and 3.42 bulk liters country made liquor from the applicant No.2.
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**

**L/-**