

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8397 of 2018**

Arvind Upadhyay S/o Tribhuwan Upadhyay Aged About 40 Years R/o-
Village Benasram, P.S. Phoolpur, District- Varanasi (U.P.) Present
Address- Pandey Dhaba, Punjipathara, P.S. Punjipathara, District-
Raigarh, Civil And Revenue District- Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Officer In Charge Police Station-
Punjipathara, District- Raigarh, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Ashutosh Mishra, Advocate
For the State	:	Shri Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**31/10/2018**

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.129/2018 registered in Police Station Punjipathara, District Raigarh (C.G.) for the offence punishable under Section 34(2), 59 (A) of CG Excise Act.
3. Case of the prosecution, in brief is that on 10/10/2018, 9.900 bulk liters of foreign and country made liquor have 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 one another criminal case under Excise Act has already been registered 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 two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in any of the crime in future, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge