

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8293 of 2018**

- Vishwanath S/o Chitrakumar Lodhi Aged About 30 Years R/o Nandani ,police Station Nandani ,tahsil Ahiwara ,district Durg Chhattisgarh., District : Durg, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Thorough The District Magistrate Durg Chhattisgarh. (Wrongly Mentioned As Collector) ,through Polie Station Nandani ,district Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant : Shri Vijay Sahu, Advocate

For Non-applicant : Shri Neeraj Sharma, Dy. G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**29.10.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. The applicant has been arrested in connection with crime No.257/2018 registered at Polie Station Nandani, District Durg (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
3. Case of the prosecution, in brief is that on 02.10.2018, 5.76 bulk liter country made liquor has been seized from the applicant.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.

5. On the other hand, learned counsel for the State opposes 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 directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs. 25,000/- to the satisfaction of the concerned Trial Court, he be released on bail.

7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE