

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8798 of 2018**

1. Ramdhani Pandey S/o Shri Vikramjeet Pandey Aged About 19 Years,
2. Dilbag Singh Dhillan, aged about 36 years, S/o Late Mangal Singh Dhillan,
Both are R/o Titurdeeh, Durg, Police Station- Mohan Nagar, Durg,
Tahsil And District- Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate, Durg, Through
The Excise Durg, City (East), Tahsil And District- Durg,
Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicant : Ms. Laxmin Kashyap, Advocate
For the State : Shri A.K. Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**14/11/2018**

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 applicants have been arrested in connection with Crime No.98/2018 registered in Police Station Excise Durg, City (East), District Durg (C.G.) for the offence punishable u/s 34(2), 59(A), 40(A), 34(1)(A) of CG Excise Act.
3. Argument heard.
4. Case of the prosecution, in brief is that on 22/10/2018, 49.68 bulk liters of country made liquor has been seized from the possession of the applicants.
5. Counsel for the State submits that there is no antecedents of the applicant No. 1 Ramdhani Pandey is reported in police case diary, but five other criminal cases are reported in police case diary against applicant No. 2 Dilbag Singh out of which 3 under IPC and 2 under Excise Act.
6. Looking to the above facts and circumstances of the case, if the applicant No.1 **Ramdhani Pandey** 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. Looking to the above facts and circumstances of the case, looking to this fact that five other criminal cases have been registered against the applicant No.2 Dilbag Singh Dhillan, thus his bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge