

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9108 of 2018**

1. Ajit Kumar son of late Surendra Singh, aged about 27 years.
 2. Tulsi Ram Patel, son of late Bahleva Patel, aged about 52 years.
- Both are resident of village Lofandi, P.S. Koni District Bilaspur(CG).

---Applicants**Versus**

State Of Chhattisgarh, through Station House Officer, Police Station Koni,
District Bilaspur (CG).

---- Non-applicant

For Applicant : Mr. Tarun Dansena, Adv. On behalf of Mr. C.K.
Kesharwani, Advocate.

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

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

28.11.2018

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.328/2018 registered at Police Station Koni, District Bilaspur for the offence punishable under Sections 34(2) & 59(A)(1)(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 17.10.2018, 12.00 bulk liters hand made country liquor has been seized from the applicants.
4. Counsel for the applicant 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 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 furnish 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, they be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE