

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.8883 of 2018**

Saukhi Lal, S/o Shri Firu Ram, aged about 52 years, R/o Village Piharid, Ward No.20, Police Station Malkharoda (Wrongly mentioned Police Station Sakti), Civil and Revenue District Janjgir Champa (CG). **---- Applicant**

Versus

State of Chhattisgarh, through District Magistrate Janjgir, Civil & Revenue District Janjgir Champa (CG). **---- Non-applicant**

For Applicant : Mr. Paras Mani Shriwas, Advocate.
For Non-applicant : Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

11.12.2018

1. Counsel for the State submitted that Investigating Officer is not present before this Court, but the case diary has already been produced. On the request of State counsel, the appearance of I.O. is dispensed with.
2. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
3. The applicant has been arrested in connection with Crime No.98/2018 registered in Police Station Excise Circle Sakti, District Janjgir Champa for the offence punishable under Sections 34(2) & 59(A) of the Chhattisgarh Excise Act.
4. Prosecution story in brief is that on 18.10.2018, 20.00 bulk liters hand made country liquor has been seized from the applicant.
5. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
6. On the other hand, counsel for the State opposed the bail application. He further submitted that previously one criminal case under of Excise Act has already been registered against the applicant.
7. 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 concerned Trial Court with the condition that will not involve himself in any of the crime in future, he be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-