

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9023 of 2018**

Rakesh @ Tummu, S/o Krishna @ Bauwa, aged about 18 years, R/o Panchsheel Nagar, Gurunanak Ward Bhatapara, District Balodabazar Bhatapara(CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Bhatapara (City), District Balodabazar Bhatapara(CG).

---- Non-applicant

For Applicant : Mr. Ravi Maheshwari, Advocate
For Non-applicant : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

26.11.2018

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.297/2018 registered at Police Station Bhatapara (City), Civil & Revenue District Balodabazar for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 27.10.2018, 8.100 bulk liters foreign liquor has been seized from the applicant.
4. Counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, therefore, he 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 applicant 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 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