

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.9136 of 2018**

Don Dewangan, aged about 23 years, son of Radheshyam Dewangan, R/o village Medha, Police Station Dongargarh, Tahsil Dongargarh, District Rajnandgaon (CG).
---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Dongargarh, District Rajnandgaon (CG).
---- Non-applicant

For Applicant : Mr. Anurag Khatri, Advocate.
 For Non-applicant : Mr. Ashok Kumar Swarnakar, Panel Lawyer

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 applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.508/2018 registered in Police Station Dongargarh, District Rajnandgaon for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Prosecution story in brief is that on 29.10.2018, 5.400 bulk liters foreign liquor has been seized from the applicant.
4. 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.
5. On the other hand, counsel for the State opposed the bail application. He further submits that previously three criminal cases, out of which, two cases under of CrPC and one case under of Excise Act have already been registered against the applicant.
6. 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.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-