

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9120 of 2018**

Durga Prasad Yadav, S/o Mahavir Prasad Yadav, aged about 28 years, R/o Indira Nagar Jamnipali, Police Station Darri, Tahsil Katghora, District Korba(CG).
---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Korba, District Korba (CG).
---- Non-applicant

For Applicant : Mr. Vikash Pradhan, Adv. On behalf of Mr. Anil Gulati,
 Advocate.
 For Non-applicant : Mr. Neeraj Kumar Jaiswal, 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 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.457/2018 registered at Police Station Balco Nagar, Korba, District Korba for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 10.10.2018, 09.00 bulk liters hand made country 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