

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.9435 of 2018**

Nasid Kumar Mandavi, S/o Shri Mehataru Ram Mandavi, aged about 32 years,  
R/o village Sureli Domaharra, Kanker District North Bastar Kanker (CG).  
---- **Applicant**

**Versus**

State of Chhattisgarh, through Police Station Charama, District North Bastar  
Kanker (CG).  
---- **Non-applicant**

For Applicant : Mr. Pravin Kumar Tulsyan, Advocate.  
For Non-applicant : Mr. Satish Gupta, Govt. Advocate

**Hon'ble Shri Justice Sharad Kumar Gupta****Order On Board****03.12.2018**

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.171/2018 registered in Police Station Charama, District North Bastar, Kanker for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 18.09.2018, 90 bulk liters foreign liquor has been seized from the applicant and co-accused Sudhir Bharti.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. Counsel for the State opposed the prayer for grant of bail to the applicant however, he submitted that there is no criminal antecedent reported against the applicant in police case diary.
6. As per web copy of order sheet dated 29.10.2018 passed in M.Cr.C. No.7610 of 2018, co-accused Sudhir Bharti has already released on bail by this Court.
7. As per enclosed photocopy of arrest memo, which is a part of charge-sheet, no criminal antecedent reported against the applicant.
8. The case of the applicant is not severe than co-accused Sudhir Bharti (supra), who has already released on bail by this Court.
9. 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.

10. Certified copy as per rules.

**Sd/-**

(Sharad Kumar Gupta)

**JUDGE**

L/-