

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9429 of 2018**

Somaru, son of late Pandey Ram, aged about 60 years, Caste Nageshiya, R/o Village Batwahi, Police Station and Tahsil Lundra, District Surguja (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Excise, Ambikapur, District Surguja (CG).

---- Non-applicant

For Applicant : Mr. Chandra Bhusan Kesharwani, Advocate
For Non-applicant : Mr. Sumit Jhanwar, Panel Lawyer

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 no other bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.215/2018 registered at Police Station Excise Ambikapur, District Surguja for the offence punishable under Sections 34(1)(a), 34(2) and 59(A) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 09.11.2018, 8.00 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