

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9283 of 2018**

1. Hemanand, S/o Nanhuram, aged about 20 years.
2. Madhav Mallik, S/o Subha Mallik, aged about 23 years.
Both are R/o Village Sankra, Police Station Sariya, Tahsil Baramkela, District Raigarh (CG). **---- Applicants**

Versus

State of Chhattisgarh, through Station House Officer, Police Sariya, District Raigarh(CG). **---- Non-applicant**

For Applicant : Mr. Tarun Dansena, Adv. On behalf of Mr. Ashish Gupta, Adv.
For Non-applicant : Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

29.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. The applicants have been arrested in connection with Crime No. 221/2018 registered at Police Station Sariya, District Raigarh for the offence punishable under Sections 34(2), 59(A) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 13.10.2018, 60 bulk liters hand made country liquor has been seized from the applicants.
4. Counsel for the applicant submits that the applicants are innocent and have been falsely implicated in the present case, therefore, they 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 applicants 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 applicants furnish one solvent surety for a sum of Rs.25,000/- each along with a personal bond of Rs.25,000/- each to the satisfaction of the concerned Trial Court, they be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE