

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9423 of 2018**

Niladri Mallik, S/o Shri Subhash Mallik, aged about 27 years, R/o Sankra,
Police Station Sariya, District Raigarh (CG). **---- Applicant**

Versus

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

For Applicant : Ms. Rashmi Verma, Adv. On behalf of Mr. Ashish Gupta,
Advocate
For Non-applicant : Mr. Suryakant Mishra, 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.241/2018 registered at Police Station Sariya, District Raigarh for the offence punishable under Sections 34(2) and 59(A) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 03.11.2018, 40 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