

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9397 of 2018**

1. Jaikumar Sen, S/o Mohan Ram Sen, aged about 32 years, R/o Village Devri, Police Station Kurud, District Dhamtari (CG).
2. Milendra @ Mohan Kumar Sahu, S/o Shri Chintaram Sahu, aged about 42 years, R/o Village Kharenga, Police Station Arjuni, District Dhamtari (CG).

---- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Arjuni,
District Dhamtari (CG).

---- Non-applicant

For Applicants : Mr. Anil Gulati, 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 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.423/2018 registered at Police Station Arjuni, District Dhamtari for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 17.11.2018, 5.625 bulk liters country made liquor has been seized from applicant No.1-Jaikumar Sen and 7.5 bulk liters country made liquor has been seized from applicant No.2-Milendra @ Mohan Kumar Sahu.
4. Counsel for the applicants 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

L/-