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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.9513 of 2018

Ramnihora Sahu, S/o Shri Shyamlal Sahu, aged about 42 years, R/o Village Belha, Police Station Pachpedi, Tahsil Masturi, District Bilaspur (CG).

---- Applicant

Versus

State of Chhattisgarh, through Excise Circle, Masturi, District Bilaspur.

---- Non-applicant

For Applicant : Ms. Sunita Sahu, Advocate.
For Non-applicant : Mr. Ashok Kumar Swarnakar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

05.12.2018

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.56/2018 registered in Police Station Excise Circle, Masturi, District Bilaspur for the offence punishable under Sections 34(1)(A)(च), 34(2) & 59(A) of the Chhattisgarh Excise Act.

3. Prosecution story in brief is that on 24.10.2018, 45.00 bulk liters hand made country liquor and 450 kg raw materials have been seized from the applicant.

4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.

5. On the other hand, counsel for the State opposed the bail application. He further submits that previously one case under Excise Act has already been registered against the applicant.

6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs.25,000/- along with one personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that will not involve himself in any of the crime in future, he be released on bail.

7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
L **JUDGE**