

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9735 of 2018**

1. Jitendra Kumar @ Mukesh S/o Shri Bhuwan Lal, aged about 22 years, Caste Sahu.
 2. Shailendra Kumar, S/o Harilal, aged about 24 years, Caste Sahu.
- Both are resident of Village Limtara, Police Station Sakti, District Janjgir Champa (CG). **---- Applicants**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Sakti, District Janjgir Champa (CG). **---- Non-applicant**

For Applicants : Mr. Dharmesh Shrivastava, Advocate.
 For Non-applicant : Mr. Ashok Kumar Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

12.12.2018

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.666/2018 registered at Police Station Sakti, District Janjgir Champa for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 18.11.2018, 6.840 bulk liters country made liquor has been seized from the applicant No.2-Shailendra Kumar and applicant No.1-Jitendra Kumar @ Mukesh was accompanied to applicant No.2.
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 furnishes 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/-