

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9629 of 2018**

1. Lalit Kumar Yadav, S/o Ramratan Yadav, aged about 25 years.
 2. Shivhari Yadav, S/o late Moti Yadav, aged about 27 years.
- Both are R/o village Chhuri, Bacharapodi, P.S. & Tahsil Khadgawan, District Korea (CG). **---Applicants**

Versus

State Of Chhattisgarh, through Station House Officer, Police Station Chirmiri, District Korea (CG). **---- Non-applicant**

For Applicants : Mr. Akhtar Hussain, Advocate.
 For Non-applicant : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.12.2018

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.305/2018 registered at Police Station Chirmiri, District Korea for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 16.11.2018, 17.280 bulk liters foreign liquor has been seized from the applicant No.1-Lalit Kumar Yadav and applicant No.2-Shivhari Yadav was accompanied to applicant No.1.
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