

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.474 of 2019**

Kailash Rajak, aged about 23 years, S/o Ramesh Rajak, R/o Ward No.19, Pandadah, P.S. & Tahsil Khairagarh, District Rajnandgaon (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Excise Circle Khairagarh, District Rajnandgaon (CG).

---- Non-applicant

For Applicant : Mr. S.S. Baghel, Advocate.
For Non-applicant : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

18.01.2019

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.260/2018 registered in Police Station Excise Circle, Khairagr for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Prosecution story in brief is that on 30.12.2018, 9.360 bulk liters country made liquor has 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 submitted that previously one case under Section 13 of Gambling 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)
JUDGE

L/-