

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 727 of 2019**

Shivbrat Mani, aged about 33 years, S/o Shri Jaigovind Mani, Permanent R/o-117, Sadashiv Enclave, Balrana, Mohali Punjab, Present R/o Near Rotary Club, Priyadarshini Colony, Raipur, District Raipur. **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station New Rajendra Nagar, Raipur, District Raipur (CG). **---- Non-applicant**

For Applicant : Ms. Smita Jha, Advocate.
For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

29.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.08/2019 registered at Police Station New Rajendra Nagar Raipur, District Raipur for the offence punishable under Sections 34(2) and 36(C)(1) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 16.01.2019, two glasses and one beer bottle, half beer filled in that bottle were seized from the possession of the applicant. He was a Manager of I.V.Y. Hotel. From the possession of co-accused Ashish Thaurani, 10.440 bulk liters beer was seized.
4. Counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, therefore, he 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 is reported against the applicant in police case diary.
6. Co-accused Ashish Thaurani has already been enlarged on bail by this Court vide order dated 28.01.2019 passed in M.Cr.C. No.677/2019.
7. Looking to the above facts and circumstances of the case, the application is allowed. It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs.25,000/- to the satisfaction of the concerned Trial Court, he be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-