

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1785 of 2019**

- Bhushan Nishad S/o Late Shri Shiv Kumar Nishad Aged About 32 Years R/o Behind Venkateshwar Talkies, Sanjay Nagar, Supela, Bhilai, District Durg Chhattisgarh

---- Applicant

**Versus**

- State Of Chhattisgarh Through The District Magistrate District Durg Chhattisgarh

---- Non Applicant

|                   |   |                                                                     |
|-------------------|---|---------------------------------------------------------------------|
| For the Applicant | : | Shri Anil Gulati, Advocate on behalf of Shri Vipin Tiwari, Advocate |
| For the State     | : | Mr. Washim Miyan, Panel Lawyer                                      |

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**Hon'ble Shri Justice Sharad Kumar Gupta**

**Order On Board****15/03/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.170/2019 registered at Police Station- Supela Bhilai, District- Durg (C.G.) for the offence punishable under Section 34 (2) of CG Excise Act.
3. Argument heard.
4. Case of the prosecution, in brief is that on 15.02.2019, 5.940 bulk liters of country made liquor was seized from the possession of the applicant.
5. Counsel for the State submits that there is no criminal antecedent against the applicant.
6. 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 one personal bond of Rs. 25,000/- to the satisfaction of the trial Court concerned, he be released on bail.
7. Certified copy as per rules.

**Sd/-**

**(Sharad Kumar Gupta)**  
Judge

Parul