

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.2124 of 2019**

Vijay Motwani @ Vijju son of Indrakumar Motwani, aged about 30 years, R/o Ward No.7, Chakarbhatha Camp, P.S. Chakarbhatha, District Bilaspur (CG).
---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Chakarbhatha, District Bilaspur (CG).
---- Non-applicant

For Applicant : Dr. Shailesh Ahuja, Advocate.
 For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

01.04.2019

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.28/2019 registered in Police Station Chakarbhatha, District Bilaspur for the offence punishable under Sections 34(2) & 59(A) of Chhattisgarh Excise Act and Section 25 of Arms Act.
3. Prosecution story in brief is that on 07.03.2019, 06.00 bulk liters country made liquor and one sword have 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 three cases, out of which, two under Gambling Act and one under CrPC have 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 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 and he shall not commit such type of offence in future.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-