

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2045 of 2019**

Kamleshwar son of Tejram, aged about 42 years, Caste Kenwat, R/o Village Korja, Police Station Lakhanpur, Tahsil Lakhanpur, District Surguja (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Excise Sub Inspector, Lakhanpur Circle, District Surguja (CG).

---- Non-applicant

For Applicant : Mr. Dharmesh Shrivastava, Advocate appearing on behalf of Mr.R.V. Rajwade, Advocate.

For Non-applicant : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

08.04.2019

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.85/2019 registered at Police Station Lakhanpur Excise Circle, District Surguja for the offence punishable under Sections 34(1)(A), 34(2), 59(A) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 15.03.2019, 7.00 bulk liters hand made country liquor has been seized from the applicant.
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. 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.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-