

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2145 of 2019**

1. Jay Giri Goswami, S/o Shri Surat Giri Goswami, aged about 25 years, R/o Ward No.07, Kurrumuda, Thana Jonk Khariyar Road, Tahsil and District Nuapada (Orissa).
2. Lakhan Beldar, S/o Shri Paltu Beldar, aged about 60 years, R/o Village Narra, Thana Komakhan, Tahsil Bagbahra, District Mahasamund (CG).

---- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Komakhan, District Mahasamund (CG).

---- Non-applicant

For Applicants : Mr. Sumit Shrivastava, Advocate.
 For Non-applicant : Mr. Wasim Miyan, 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 applicants before this Court and no other bail application is pending before any other Court.
2. The applicants have been arrested in connection with Crime No.49/2019 registered at Police Station Komakhan, District Mahasamund for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 21.03.2019, 16.00 bulk liters country made liquor has been seized from the joint possession of the applicants.
4. Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case, therefore, they 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 applicants 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 applicants furnish one solvent surety for a sum of Rs.25,000/- each along with a personal bond of Rs.25,000/- each to the satisfaction of the concerned Trial Court, they be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-