

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2467 of 2019**

1. Mannan Mohammad S/o Late Jaan Mohammad, Aged About 40 Years
 2. Rajkumar Sahu S/o Late Kamal Kumar Sahu, Aged About 25 Years
- both are R/o Village Kokpur, Police Station Dongargaon, District
Rajnandgaon Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through The Excise Circle, Dongargaon,
District Rajnandgaon Chhattisgarh., District : Rajnandgaon,
Chhattisgarh.

---- Respondent

For the Applicants	:	Shri S.S. Baghel, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**24/04/2019**

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 applicants have been arrested in connection with Crime No.323/2018-19 registered in Police Station Excise Circle, Dongargaon, District Rajnandgaon (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 30/03/2019, 27 bulk liters of country made liquor has been seized from the joint possession of the applicants.
5. Counsel for the State submits that 11 other criminal cases have been registered against the applicant No. 1 Mannan Mohammad out of which 8 cases under CrPC, 2 cases under Excise Act and 1 case under CrPC, however, there is no antecedents of the applicant No. 2 Rajkumar Sahu is reported in police case diary.
6. Counsel for the applicants further submitted that applicant No. 1 Mannan Mohammad has been acquitted from the offence punishable under the Excise Act.
7. Looking to the above facts and circumstances of the case, looking to this fact

that 11 other criminal cases have been registered against the applicant No. 1 **Mannan Mohammad**, thus his bail application is rejected.

8. Looking to the above mentioned facts and circumstances of the case, it is ordered that if the applicant No. 2 **Rajkumar Sahu** 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.
9. Certified copy as per rules.

Sd/-
(**Sharad Kumar Gupta**)
Judge

Kamde