

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2672 of 2019**

Hari Nishad, aged about 22 years, S/o Shri Dayaram Nishad, R/o Village Dhangaon, P.S. Tumgaon, District Mahasamund (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Excise Cell ARANG, District Raipur (CG) (wrongly mentioned in order sheet as Arang). **---- Non-applicant**

For Applicant : Mr. Anchal Kumar Matre, Advocate.
For Non-applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

29.04.2019

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.172/2019 (wrongly mentioned as 162 in order sheet) registered at Police Station Excise Cell Arang (wrongly mentioned in order sheet as Arang), District Raipur for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 16.03.2019, 25.560 bulk liters country made 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 of the applicant is reported 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/-