

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2581 of 2019**

- Dilawar Diwakar S/o Ramkhilawan Diwakar Aged About 30 Years R/o Village Jharna, P.S. Baradwar, District-Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Out Post Manikpur, P.S. Katwali, Korba, Distict- Korba, Chhattisgarh

----Non Applicant

For the Applicant : Shri Mirza Kaiser Baeg, Advocate

For Non Applicant : Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****24.04.2019**

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. Perused the case diary provided by the learned counsel for the State in connection with Crime No.530/2018 registered at Police Station- Out Post Manikpur, P.S. Kotwali Korba, District- Korba (C.G.) for the offence punishable under Sections 34 (2) of CG Excise Act.
3. Case of the prosecution, in brief is that applicant is facing trial under the Excise Act. On 26.09.2018 permanent arrest of warrant was issued against him, on the execution of warrant he was arrested on 30/03/2019. Now he is in custody in jail.
4. Learned counsel for the applicant submits that applicant would appear regularly in future in the trial Court. Thus, he may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the bail application is allowed, it is directed that if applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- to the satisfaction of the concerned trial Court , he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul