

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2579 of 2019**

1. Manish @ Mojesh S/o Madhukar Aged About 35 Years,
2. Nirmal Masih S/o Ibrahim Masih Aged About 32 Years,

Both are R/o Village- Vishrampur, Police Station And Tahsil- Simga,
District- Balodabazar- Bhatapara, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station- Simga, District- Balodabazar- Bhatapara, Chhattisgarh.,
District : Balodabazar-Bhatapara, Chhattisgarh

---- Respondent

For the Applicants	:	Shri Atanu Ghosh, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**15/04/2019**

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 applicant has been arrested in connection with Crime No.95/2019 registered in Police Station Simga, District Balodabazar-Bhatapara (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 01/04/2019, 5.760 bulk liters of country made liquor has been seized from the possession of the applicant No.1 Manish @ Mojesh. Applicant No. 2 Nirmal Masih was accompanied to applicant No 1 Manish @ Mojesh.
5. Counsel for the State submits that three other criminal cases have been registered against the applicant No. 1 Manish @ Mojesh, however no criminal antecedents of the applicant No. 2 Nirmal Masih 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 No. 1 **Manish @ Mojesh** furnishes two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in any of the crime in future, he be released on bail.

7. Looking to the above facts and circumstances of the case, the application is allowed. It is directed that if the applicant No. 2 **Nirmal Masih** 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.
8. Certified copy as per rules.

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

Kamde