

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.2624 of 2019**

Brijesh Jaiswal, aged about 35 years, S/o Ramadhar Jaiswal, R/o Irrigation Colony Gourela, Police Station Gourela, District Bilaspur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Sub Inspector Excise Circle, Pendra, District Bilaspur (CG).

---- Non-applicant

For Applicant : Mr. Ratnesh Kumar Agrawal, Advocate.
For Non-applicant : Mr. S.R.J. Jaiswal, 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 bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.28/2019 registered in Police Station Excise Circle, Pendra, District Bilaspur for the offence punishable under Sections 34(1)(A), 34(2), 59(A), 36 of the Chhattisgarh Excise Act.
3. Prosecution story in brief is that on 04.04.2019, 18.9 bulk liters foreign liquor has been seized from the applicant.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. He further submits that previously two criminal cases, out of which, one case under Excise Act and one case under CrPC have already been registered against the applicant.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant 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 concerned Trial Court with the condition that will not involve himself in any of the crime in future, he be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-