

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2793 of 2019**

Mohammad Mustak Ali, S/o Kayum Ali, aged about 26 years, R/o Village Amagohan Khongsara, Chowki Belgahana, P.S. Kota, District Bilaspur (CG).

---- Applicant**Versus**

State of Chhattisgarh, Chowki Belgahana, P.S. Kota, District Bilaspur (CG).

---- Non-applicant

For Applicant : Mr. Samir Singh, Adv. on behalf of Mr. Utkal Pradhan, Advocate.
For Non-applicant : Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

25.04.2019

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.161/2019 registered at Police Station Kota, District Bilaspur for the offence punishable under Section 34(2) of Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 31.03.2019, 6.00 bulk liters country made liquor has been seized from the applicant.
4. Counsel for the applicant submits that the applicant is an 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. She further submits that no criminal antecedent is reported against the applicant 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/-