

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.2789 of 2019**

Pawan Nishad, S/o Fagva Nishad, aged about 32 years, R/o Village Batiyatola,  
Thana Dongargarh, District Rajnandgaon (CG). **---- Applicant**

**Versus**

State of Chhattisgarh, through Police Station Dongargarh, District  
Rajnandgaon (CG). **---- Non-applicant**

For Applicant : Mr. Samir Singh, 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 bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.105/2019 registered in Police Station Dongargarh, District Rajnandgaon for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Prosecution story in brief is that on 28.02.2019, 5.400 bulk liters foreign liquor has been seized from the applicant.
4. Counsel for the applicant argued that the applicant is an 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. She further submits that previously three criminal cases, out of which, two cases under Excise Act and one case under CrPC have already been registered against the applicant in police case diary.
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/-