

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3043 of 2019**

Kapil Ahmed, s/o Shakil Ahmed, aged about 26 years, Madhubanpara, Ward No.10, Near Seni Dukan, District Raigarh, Taluka , Raigarh, District Raigarh (CG).
---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Out Post Jutmil, P.S. City Kotwali Raigarh, District Raigarh (CG).
---- Non-applicant

For Applicant : Mr. Manoj Kumar Jaiswal, Advocate.
 For Non-applicant : Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

03.05.2019

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.274/2019 registered at Police Station Out Post Jutmil, P.S. City Kotwali, Raigarh, District Raigarh for the offence punishable under Sections 34(2) & 59(A) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 07.04.2019, 23.400 bulk liters Whiskey and beer have been seized from the applicant.
4. Counsel for the applicant submits that the applicant is 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 bail 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