

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3499 of 2019**

1. Dilip, S/o Krishna Kumar Gritlahare, aged about 23 years, R/o Village Mander, Thana & Tahsil Simga, District Baloda Bazar Bhatapara (CG).
 2. Balaram, S/o Chaitram Nishad, aged about 42 years, R/o Village Tulsi, Thana & Tahsil Simga, District Baloda Bazar Bhatapara (CG). **---- Applicants**

Versus

State of Chhattisgarh, through Police Thana Simga, District Baloda Bazar Bhatapara (CG). **---- Non-applicant**

For Applicants : Mr. Deepak Jain, Advocate.
 For Non-applicant : Mr. K.K. Dewangan, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

29.05.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. The applicants have been arrested in connection with Crime No.141/2019 registered at Police Station Simga, District Baloda Bazar Bhatapara for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 09.05.2019, 43.200 bulk liters foreign liquor has been seized from the possession of applicant No.2-Balaram and applicant No.1-Dilip was accompanied to applicant No.2.
4. Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedent is reported against the applicants 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 applicants furnish one solvent surety for a sum of Rs.25,000/- each along with a personal bond of Rs.25,000/- each to the satisfaction of the concerned Trial Court, they be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Vacation Judge

Parul