

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.4000 of 2019**

1. Ajay Meshram, S/o Shri Ashok Meshram, aged about 25 years, Caste Mahar.
 2. Satish Malik, S/o Shri Shaukila, aged about 26 years, Caste Sanwara.
- Both are R/o Village Paterapali, Police Station and Tahsil Saraypali, District Mahasamund (CG). **---- Applicants**

Versus

State of Chhattisgarh, through Officer-in-charge of Police Station Saraypali, District Mahasamund (CG). **---- Non-applicant**

For Applicants : Mr. Roop Naik, Advocate.
For Non-applicant : Mr. Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****20.06.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no bail application is pending before any other Court.
2. The applicants have been arrested in connection with Crime No.196/2019 registered in Police Station Saraypali, District Mahasamund for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Case of the prosecution, in brief is that on 05.06.2019, 5.400 bulk liters country made liquor has been seized from the possession of the applicant No.1-Ajay Meshram and applicant No.2-Satish Malik was accompanied to applicant No.1-Ajay Meshram.
4. Counsel for the applicants submitted that the applicants are innocent and have been falsely implicated in the present case hence they may be released on bail.
5. Counsel for the State opposed the prayer for grant of bail. He further submitted that one criminal case under Excise Act has already been registered against the applicant No.1-Ajay Meshram and no criminal antecedent is reported against the applicant No.2-Satish Malik in police case diary.
6. Looking to these facts and circumstances of the case, the bail application is allowed. It is directed that if the Applicant No.1-Ajay Meshram furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail and he will not commit any such type of offence in future.
7. It is directed that if the Applicant No.2-Satish Malik furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the sum of Rs.25,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-