

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4231 of 2019**

- Taturam Nagesh S/o Kadru Nagesh Aged About 58 Years R/o Village Falsapara, Police Station And Post Office Devbhog, District Gariyaband Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Devbhog, District Gariyaband Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Non-applicant

For Applicant	: Shri V. Pradhan on behalf of Shri S. Pandya, Advocates
For Non-applicant	: Shri Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

28.06.2019

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. 135/2019 registered at Police Station –Devbhog District Gariyaband (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.
3. Case of the prosecution, in brief is that on 14.06.2019, 18 bulk liters hand made country made liquor has been seized from the applicant.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application,

however, he submits that there is no antecedent against the applicant.

6. Looking to the above mentioned facts and circumstances of the case, looking to the prima facie material available in record against the applicant, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE