

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5764 of 2015

Anil Sori, S/o. Shri Gudram Sori, Aged About 23 Years, Caste Muriya,
R/o. Village Bandhapara Sonabal, Police Station Kondagaon, Revenue &
Civil District Kondagaon, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through: Police Station Kondagaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Avinash K. Mishra, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.201/2015 registered at Police Station- Kondagaon, District Kondagaon (C.G.) for the offence punishable under Section 3, 7 of Essential Commodity Act, 1955.
2. Case of the prosecution is that the present applicant who was a salesman in the Fair Price Shop of Gram Panchayat Sonabel misappropriated 2200 liters of kerosene oil which was meant for public distribution system, unauthorizedly and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant is in jail since 13.08.2015 and the charge sheet has been filed. He further submits that the register has not been maintained but in physical verification the kerosene oil was present. He submits that the similarly placed co-accused have been enlarged on bail by the

coordinate Bench of this Court in M.Cr.C. No.4979/2015 on 21.09.2015, therefore, considering gravity of offence and the fact that the charge sheet has been filed, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and gravity of offence and taking into fact that the charge sheet has been filed and the applicant is in jail since 13.08.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge