

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.789 of 2016

Ghanshyam Koshre alias Kishle, S/o Shri Rohit Kosre alias Koshle, aged about 28 years, resident of village Chandi, PS & Tehsil Abhanpur, District Raipur (CG)

---Applicant

Versus

State of Chhattisgarh Through Police Station Abhanpur, District-Raipur (CG)

---Non-applicant

For Applicant	:	Mr. Siddarth Rathod, Advocate
For Non-applicant	:	Mr. D.R.Minz, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/03/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.276/2015, registered at Police Station-Abhanpur, District-Raipur (CG), for the offence punishable under Sections 3/7 of the Essential Commodities Act and Sections 467, 468, 471, 409 and 420 of the IPC.

2. Case of the prosecution, in brief, is that the applicant was found in possession of 60 bags of rice and salt belonging to PDS amounting to ₹60,000/- without any authority of law.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is working as Salesman in the Fair Price Shop and the aforesaid articles

were brought for the said shop and kept the same in his safe custody and likely to be unloaded when the articles were seized. He would also submit that the applicant is in jail since 7.10.2015 and charge-sheet has already been filed and therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature and gravity of the offence, material available against the applicant, his pre-trial detention, the fact that charge-sheet has already been filed and no further interrogation is required to be taken, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-