

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4580 of 2016

1. Dharmendar Sao S/O Bhola Sao Aged About 35 Years R/O Durga Nagar, Birgaon, Police Station Urla, Raipur, District Raipur Chhattisgarh.
2. Ravi Sao S/O Anil Sao Aged About 25 Years R/O Bhilai Power House Police Station Chhawani, District Durg Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khamtarai, Raipur, Distt. Raipur Chhattisgarh.

---- Respondent

For Applicant : Mr. Y.C. Sharma, Advocate

For Respondent/State : Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17-8-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 10-05-2016 in connection with Crime No. 161 of 2016, registered at Police Station Khamtarai, Raipur District Raipur (CG) for the offence punishable under Sections 3 & 7 of the Essential Commodities Act.
2. Case of the prosecution, in brief, is that on 10-5-2016 on information being received that the applicants kept kerosene oil illegally for selling, that area was raided and from the possession of the applicants 4800 liters of kerosene was recovered.
3. Learned counsel appearing for the applicants would submit that actual seizure was made from shop owner Anil Sao and the present applicants were only workers in the said shop and they have been falsely implicated in the case. He would further submit that charge-

sheet has been filed in this case and the applicants are in jail since 10-05-2016, therefore, the applicants may be enlarged on bail.

4. *Per contra*, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicants and also the fact that charge-sheet has been filed and the applicant are in jail since 10-05-2016, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them 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 their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju