

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.2535 of 2016

Narendra Harpal S/o Shri Limsai Harpal, Aged about 25 years, R/o Near Shiv Mandir, Near Raipur Naka, Durg, Tahsil and Distt.Durg (CG)

---Applicant

Versus

State of Chhattisgarh, Through District Magistrate, Distt.Durg (CG)

---Non-applicant

For Applicant	:	Mrs. Smita Jha, Advocate
For Non-applicant	:	Mr. Anil S. Pandey, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

02/06/2016

- 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 on 27.1.2016 in connection with Crime No.83/2016, registered at Police Station-Durg, District-Durg (CG), for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
- 2.** Case of the prosecution, in brief, is that the applicant was found in illegal possession of 22.86 bulk liters of foreign liquor.
- 3.** Learned counsel for the applicant submitted that the applicant has not committed any offence and false seizure has been made against him. He further submitted that investigation is complete, charge-sheet has been filed and further interrogation of the applicant is not necessary.
- 4.** On the other hand, learned counsel for the State opposed the bail application and submitted that the applicant is having criminal antecedents and against him earlier also two criminal cases for commission of various offences under IPC have been registered and if bail is granted to him, he is likely to misuse the liberty.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the submission of learned counsel appearing for the parties, taking into consideration the maximum sentence for alleged commission of offence, the fact that the applicant is in jail since 27.1.2016, investigation is complete, charge-sheet has been filed and further interrogation does not appear to be necessary, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, 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 two local sureties in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Manindra Mohan Shrivastava)
VACATION JUDGE

B/-