

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.630 of 2016**

Ganeshwar Kashyap, S/o-Baldau Kashyap, aged:- 29 years, Village: Kuvagaon, P.S.-Jarhagaon, Civil District-Bilaspur and Revenue District Mungeli (CG)

---Applicant

Versus

State of Chhattisgarh, through – Police of Police Station – Jarhagaon, Civil District –Bilaspur and Revenue District Mungeli (CG)

---Non-applicant

For Applicant	:	Mr. Pallav Mishra, Advocate
For Non-applicant	:	Mr. Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/02/2016

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.7/2016, registered at Police Station-Jarhagaon, District-Mungeli (CG), for the offence punishable under Sections 3 and 7 of the Essential Commodities Act.
2. Case of the prosecution, in brief, is that on 7.1.2016 the applicant was found in possession of 20 liters of blue kerosene belonging to Public Distribution System.
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 in jail since 7.1.2016, charge-sheet is yet to be filed and he is not likely to abscond.

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 and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant and his pre-trial detention, 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.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-