

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 471 of 2016**

- Ashok Kumar Jotwani, aged about 52 years, son of Kewal Ram Jotwani, resident of Ashok Jotwani, Macosabab Singh Colony, Near Khatiya Wala Mandir Ke Pass, Nagpur (Maharashtra).

---- Applicant

Versus

- State Of Chhattisgarh Through the Police Station Urla, District Raipur (C.G.)

---- Non-applicant

For Applicant: Mr. Sandeep Shrivastava, Advocate.
 For Non-applicant/State: Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/02/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.191/2015 registered at Police Station Urla, District Raipur for the offences punishable under Sections 420 of the Indian Penal Code & Sections 51 & 63 of the Copyright Act.

(2) Case of the prosecution in brief is that applicant was found selling prohibited duplicate 'Raj Jarrayukt' Gutkha in the State of Chhattisgarh and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not

committed any offence and the offence under Section 420 of the Indian Penal Code is not made out against the applicant. He further submits that applicant is in detention since 10.1.2016; and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; defence of the applicant and the nature of allegation made against the applicant; further considering his pre trial detention and the substantial investigation has already been made; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

