

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3126 of 2016

Rajaram Sinha, S/o. Gitaram Sinha, Aged About 34 Years, R/o. Gudhiyari,
Near Sai Mandir, Tahsil & District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Gudhiyari, District Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. V.R.Tiwari, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.186/2015 registered at Police Station Gudhiyari, District Raipur (C.G.) for the offence punishable under Section 285, 420 of Indian Penal Code and Section 3/7 of Essential Commodities Act.
2. Case of the prosecution, in brief, is that a complaint was made by Jitendra and the premises of Abdul Wahid Khan was raided by some officers along-with Food Inspector and on such raid, 3445 liters of blue kerosene and 7140 liters of white kerosene were found. On investigation, it was revealed that the said kerosene was supplied by the present applicant who was the Hawker and thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant is in jail since 05.05.2016 and the charge sheet has already been filed

and all the essential seizures have been made, therefore, no further evidence is required and, as such, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact that the charge sheet has been filed in this case and as the seizures have already been made there is no chance of tampering evidence and considering the fact that the applicant is in jail since 05.05.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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/-
(Goutam Bhaduri)
Judge