

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4762 of 2016

1. Rajaram Sinha, S/o. Geetaram Sinha, aged about 32 years, R/o. Station Road, Lodhipara, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station -Ganj, District Raipur (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Mateen Siddiqui, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/08/2016

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.192/2016, registered at Police Station – Ganj, District – Raipur (C.G.) for the offence punishable under Section 3/7 of Essential Commodities Act, 1955 and Section 285 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 16.07.2016 the applicant while he was making Tarpin Oil by adding chemical, 700 liters of kerosene oil which was meant for public distribution was recovered from the possession of the applicant. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and and he is only labourer. It is

further submitted that the applicant is in jail since 16.07.2016 and no further investigation is necessary in this case, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case, the nature of offence and the degree of allegation levelled against the applicant and further considering the fact that the applicant is in jail since 16.07.2016, 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 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/-
(Goutam Bhaduri)
Judge