

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6694 of 2016

1. Pintu Sao, S/o. Shivshankar Sao, aged about 32 years, R/o. Nageshwar Nagar, Beergaon, Beside of Nagar Nigam, Bhumika Kirana Stores Gali, Beergaon, Post Office and Police Station – Urla, Raipur, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Urla, District – Raipur (C.G.)

---- Respondent

For Applicant	: Mr. Shivendu Pandya, Advocate
For Respondent/State	: Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/11/2016

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.216/2016, registered at Police Station – Urla, District – Raipur (C.G.) for the offence punishable under Section 3, 7 of Essential Commodities Act.
2. Case of the prosecution, in brief, is that on 06.09.2016 on a raid being made from the possession of the applicant 150 liters of kerosene oil which was meant for the public distribution system was recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the applicant runs grossery shop and therefore, false allegation has been attributed against the applicant. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 06.09.2016, 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. 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 seizure has already been made, charge-sheet in this case has been filed and the applicant is in jail since 06.09.2016, 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