

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6919 of 2016

- Rohit @ Manoj Kumar Sahu S/o Mr. Panchram Sahu Aged About 23 Years R/o Rautpara, Lodhipara, Behind Gurudwara, Police Station Ganj, Raipur, Tahsil & District Raipur, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through The Police Ganj, District Raipur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Raza Ali, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 193/2016 registered at P.S. Ganj, Raipur Distt. Raipur (C.G) for the offence punishable under Sections 285, 420 IPC and section 3/7 of the Essential Commodities Act, 1955.
2. As per the prosecution case, when a raid was conducted on 16.07.2016 in the premises of the applicant, 700 litres of kerosene oil which was meant for Public Distribution system was seized alongwith chemicals. It is alleged that the applicant used to manufacture the Turpin oil and sell the same in the market thereby the offence is committed.
3. Learned counsel for the applicant would submit that the entire goods belonged to one Manoj Dubey to whom the premises was given on rent and the said Manoj Dubey after seizure had obtained the said goods on Suprudnama and the applicant has been falsely implicated only on the ground that

he is the owner of the premises. He further submits that the charge sheet in this case has been filed and the applicant is in jail since 28.09.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents. Considering the nature of allegations and the fact that the seizure has already been made and the goods were handed over to one Manoj Dubey on Suprudnama and looking to the pretrial detention of the applicant as he is stated to be in jail since 28.09.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**