

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No.7912 of 2016

Sandeep Bansal, son of Rajendra Bansal, aged about 30 years,
resident of Mohalla Mayapur, Thana & Tahsil Ambikapur, District
Surguja, Chhattisgarh. ... **Applicant**

Vs.

State of Chhattisgarh, through the Station House Officer, Police
Station Ambikapur, District Surguja, Chhattisgarh ... **Respondent**

For the applicant	:	Mr. Sanjay Agrawal, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.12.2016

1. This is third 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. 559/2016 registered at P.S. Ambikapur Distt. Surguja (C.G) for the offence punishable under Section 285 of IPC and sections 3(2)/d/, 7(A), 3/7 of the Essential Commodities Act.
2. As per the prosecution case, on a raid being conducted in the godown of one Ashadevi, 982 litres of Turpentine oil was seized. It is alleged that the present applicant was in possession of the godown and at the relevant time he was present on the spot. The further allegation levelled against him is that he was illegally manufacturing the Turpentine oil in large quantity by mixing kerosene oil which was meant for public distribution, thereby the offence has been committed.
3. Learned counsel for the applicant submits that this is third bail application; the first bail was dismissed as withdrawn on 26.09.2016 with liberty to repeat the same after filing of the

charge sheet and the second bail application was dismissed on 18.11.2016 for want of prosecution. He submits that now the charge sheet in this case has been filed; no further investigation is necessary and the applicant is in jail since 11.08.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the facts and circumstances of the case, especially the fact that the charge sheet has been filed and no further investigation is necessary in this case; offence is triable by the JMFC and the applicant is in jail since 11.08.2016, I am inclined to release the applicant on bail.
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**