

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 25 of 2017

Shersingh @ Shera Dahariya S/o Mansukh Dahariya, Aged About 33 Years (By Caste Satnami A Person Of Schedules Caste) R/o Village Risda Tahsil And Police Station City Kotwali, Baloda Bazar Civil And Revenue District Baloda Bazar Bhatapara Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer City Kotwali, Baloda Bazar Civil And Revenue District Baloda Bazar Bhatapara Chhattisgarh

---- Respondent

Shri Janak Ram Verma, counsel for the applicant/s.
Shri D.R.Minj, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/01/2017

Heard.

The applicant has been arrested in connection with Crime No.538/2016 registered at Police Station – City Kotwali, Baloda Bazar, Distt. - Bhatapara (CG) for alleged commission of offences under Section 83 (2) of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. The allegation against the applicant is that he had handed over approximately two bulk liters of country made liquor to a juvenile for being sold illegally.

3. Learned counsel for the applicant submits that the allegations are false and fabricated. He submits that there is no legally admissible evidence against the applicant. It is submitted that the father and brother of the juvenile are already involved in various cases under the Excise Act including illegal possession and selling of liquor and in the criminal case instituted against the father of the juvenile, the applicant is one of the prosecution witnesses, therefore, the applicant is falsely implicated.

4. On the other hand, learned State counsel opposes bail application and submits that in view of material available on record, prima facie, it appears that the juvenile was found selling liquor which was handed over to him by the applicant.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that investigation is complete, charge sheet has been filed, nature of evidence collected by the prosecution against the applicant, quantity of liquor, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge