

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 198 of 2017

- Durga Prasad Dande S/o Siyaram Dande Aged About 38 Years R/o Mohtara (Kurmi), Police Station- Lalpur Tahsil & District- Mungeli, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station- Lalpur, District- Mungeli, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. K. K. Singh, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.01.2017

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. 200/2016 registered at Police Station Lalpur, Distt. Mungeli (C.G) for the offence punishable under Section 3 & 7 of the Essential Commodities Act.
2. As per the prosecution case, on an information received that the applicant has kept in his possession large quantity of kerosene oil which was meant for public distribution system, a raid was conducted in his premises and 400 litres of Kerosene oil was seized from him, thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and the distribution of the entire kerosene oil was made to the respective ration card holders and no offence has been committed. He further submits that

the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 28.11.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the degree of allegations levelled against the applicant as also the facts that the charge sheet has been filed; no further investigation is necessary and the applicant is stated to be in jail since 28.11.2016, 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 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 till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**