

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1214 of 2017

- Aadik Ram Sahu, s/o. Kishun ram Sahu, aged about 45 years, r/o village Badr (B), PS and Tehsil Pathariya, Chowki Sargaon, District Mungeli, CG.

---- Applicant

Versus

- State of Chhattisgarh Through Chowki Sargaon, PS Pathariya, District Mungeli (CG).

---- Respondent

For Applicant : Mr. P. P. Sahu, Advocate

For Respondent/State : Mr. Neeraj Mehta, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07-03-2017

1. This is the first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 5-2-2017 in connection with Crime No. 35 of 2017, registered at Police Station Pathariya, District Mungeli (CG), for the offence punishable under Sections 3 & 7 of the Essential Commodities Act.
2. As per prosecution case, on 4-2-2017 on raid being conducted, vehicle Swaraj Mazda bearing registration No. CG 10 AA 1893 was intercepted and on checking of the vehicle 40 bags i.e., 20 quintals of rice was found and no document was produced and thereby the aforesaid offence has been committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in this case, the applicant is having Kirana shop and he was carrying rice for sale, therefore, no offence is made out. He would further submit that charge-sheet has

been filed, the applicant is in jail since 5-2-2017 and no further investigation is necessary, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail application.
5. I have heard learned counsel for the parties and perused the case diary and documents.
6. Taking into consideration all the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that charge-sheet has been filed, the applicant is in jail since 5-2-2017, I am inclined to release the applicant on bail.
7. Accordingly, the application filed under Section 439 of the Cr.P.C., is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one solvent surety in the like amount to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
Judge

Raju