

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2674 of 2017**

- Manmohan Dubey @ Pappu S/o Late Mahendra Dubey, Aged about 32 Years, R/o Village Kukurmuda, Police Station & Tehsil Khairagarh, District Rajnandgaon (Chhattisgarh).

---- Applicant**Versus**

- State of Chhattisgarh Through the Police Station Khairagarh, District Rajnandgaon (Chhattisgarh).

----Non-applicant

For Applicant	:-	Shri Rakesh Pandey, Advocate.
For the State/Respondent	:-	Shri Luv Sharma, Panel Lawyer

SB: Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****30-05-2017**

1. Heard on application under Section 439 of the Code of Criminal Procedure, 1973 filed by the applicant for releasing him on regular bail.
2. It is submitted that the applicant has been arrested in connection with Crime No.101/2017, registered at Police Station Khairagarh, District Rajnandgaon (C.G.) for offence punishable under Section 34(2) of the Chhattisgarh Excise Act, on 07-04-2017 and committed to custody. This is the first bail application. The applicant has been falsely implicated in this case. The case before the trial Court is likely to take some time for its disposal. Hence, the applicant be enlarged on bail.
3. On the other hand, learned State counsel has opposed the bail application.
4. I have heard learned counsel appearing for the parties and perused the case diary of Crime No.101/2017 of Police Station Khairagarh.
5. On 01-04-2017, liquor in different bottles in total 486 bulk liters was seized from a house alleged to be in possession of the applicant. The

case has been registered against him which has been investigated. The applicant is a local resident of Khairagarh, District Rajnandgaon.

6. Looking to the facts and circumstances of this case and the fact that the case before the trial Court is likely to take some time for its disposal, it is a fit case where the applicant should be extended benefit of bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed, the applicant shall be released on bail, subject to following conditions :
 1. That, the applicant shall furnish a specific undertaking that while on bail, he will not commit any excise offence, otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.
 2. That the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.
 3. That, the accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial.

Sd/-
(Rajendra Chandra Singh Samant)
Vacation Judge

