

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.2653 of 2017

Supet Kumar, S/o Panchu Ram Verma, aged about 42 years, R/o Village Kanki, Thana Kharora, District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Police Station Kharora, District Raipur (C.G.)

---- Non-applicant

For Applicant:	Mr. K.K. Dewangan, Advocate.
For Non-applicant:	Mr. Neeraj Jain, Govt. Advocate.

Hon'ble the Vacation JudgeOrder On Board

30/05/2017

1. Heard on the application under Section 439 of the CrPC for grant of bail.
2. It is submitted that the applicant has been arrested in connection with Crime No.89/2017 registered for offence under Section 34 (2) of the Chhattisgarh Excise Act, 1915 at Police Station Kharora, Distt. Raipur, on 7-4-2017 and committed to custody. In the meanwhile, investigation has been completed and charge-sheet has been submitted before the trial Court. The applicant has been falsely implicated. The case before the trial Court is likely to take some time for its disposal and the applicant is ready to abide by all the conditions laid down with respect to bail. Hence, prayed that the application be allowed.
3. Counsel for the State has opposed the bail application.
4. Perused the case diary of Crime No.89/2017.
5. 51.840 bulk litres of duty paid English liquor was seized from the

applicant in this case for which crime has been registered against him and it appears that investigation has been completed and charge-sheet has been submitted. Although an objection has been raised that the applicant has committed similar offence in the year 2004, but looking to the lapse of time, this objection cannot be sustained. In the present state of things, looking to the facts and circumstances of this case, it is a fit case for enlarging the applicant on bail. Hence, this application is allowed.

6. 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