

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C No.3197 of 2017**

Sarju Ram Mandavi S/o Bhaiyya Ram, Aged About 35 Years R/o Village Chikhlakasa, Police Station Dongargaon, District Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Ambagarh Chowki (Wrongly Mentioned As District Magistrate), District Rajnandgaon, Chhattisgarh.

---- Non-Applicant

For Applicant:

Shri Roop Naik, Advocate.

For State/Non-Applicant:

Smt Shobha Kashyap, Dy. Govt. Advocate.

Single Bench: Hon'ble Shri Prashant Kumar Mishra, J
Order On Board

24.5.2017

1. This is the first bail application under Section 439 Cr.P.C for grant of regular bail as the Applicant is arrested in connection with Crime No.67/2017 registered at Police Station – Ambagarh Chowki, District Rajnandgaon (CG) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act for illegally possessing 9 bulk liters of country made liquor.

2. Learned Counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the alleged crime. He submits further that there are no previous criminal antecedents of similar offence and is therefore liable to be enlarged on bail.

3. On the other hand, learned counsel for the State opposed the prayer for bail.

4. Having considered the facts and circumstances of the case, the nature

of allegations, the fact that the Applicant is in jail since 24.04.2017, that the offence is triable by the Judicial Magistrate and that there are no previous criminal antecedents against him, this Court is inclined to release the Applicant on bail. Accordingly, the bail 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 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. It is made clear that if the Applicant involves himself in the offence of similar nature in future, this order granting bail to the Applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Prashant Kumar Mishra)
Vacation Judge

Priya