

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6667 of 2017

Ramgopal Soni, S/o. Late Kejuram Soni, Aged About 56 Years, R/o. Murrabhatti, In Front Of Ayush Hospital Gudhiyari, Police Station Gudhiyari, Tahsil & District Raipur, Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh, Through Station House Officer, Police Station Azad Chowk Raipur, District Raipur, Chhattisgarh.

---- Respondent

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

For Respondent : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.12.2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.158/2017 registered at Police Station- Azad Chowk, District Raipur (C.G.) for the offence punishable under Section 420 of Indian Penal Code & 103, 104 of Trade Mark Act.
2. As per the prosecution case, on a raid being conducted on 22.07.2017 from the possession of the applicant Meghna, Gola & Farmaish, three types of Bidi was recovered in different bags, which were fake and false logo was used; thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated, he is in jail since 22.08.2017 and as the offence is of trade mark no investigation is carried out below the Superintendent of Police. He further submits that the charge sheet

has been filed and no further investigation & seizure is required, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts & circumstances of the case and the fact that charge sheet has been filed, no further investigation is required and the applicant is in jail since 22.08.2017, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge