

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6444 of 2017**

Aatam Singh S/o Bokha Ram Aged About 25 Years R/o Bhilaikhurd,
Police Station Rajpur, District Balrampur- Ramanujganj, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police
Station Rajpur, District Balrampur- Ramanujganj, Chhattisgarh.

---- Respondent

For the Applicant : Shri Jitendra Shrivastava, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****04.12.2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.113 of 2017, registered at Police Station Rajpur, District Balrampur-Ramanujganj, Chhattisgarh for the offences punishable under Section 409 of the Indian Penal Code and Sections 3 and 7 of the Essential Commodities Act.

2. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. The applicant is in jail since 05.09.2017. He is only the salesman of the said fair price shop which is operated and run by the agency of Gram Panchayat, Bhilai Kurud. The applicant is a local resident and he is ready to abide by all the conditions that may be imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The facts of the case are that the Inspector of Food Department raided the fair price shop where the applicant was present and on verifying the stock shortage of rice, gram and salt worth Rs.25,546/- was found. On the basis of these findings, the case has been registered against the applicant.
6. Taking into consideration the fact that the applicant is a local resident, the case is triable by the Judicial Magistrate First Class and the conclusion of the trial is likely to take some time for its final disposal, I am of the considered opinion that the applicant deserves to be released on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge