

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6755 of 2017**

Dwarika Prasad Chandra S/o Premlal Chandra Aged About 45 Years
R/o Jaijaipur, Police Station And Tahsil Jaijaipur District Janjgir
Champa Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Jaijaipur District Janjgir
Champa Chhattisgarh..

---- Respondent

For the Applicant : Shri Ganesh Ram Burman, Advocate.
For the Respondent/State : Shri Wasim Miyan, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****16.11.2017**

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.157 of 2017, registered at Police Station – Jaijaipur, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.

2. Learned counsel for the applicant submits that the applicant is in jail since 5.10.2017 and the applicant has been falsely implicated in this case. His father is in deathbed. 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. It is submitted that

nine cases of proceedings under the provisions of Cr.P.C. and six previous cases of Excise Act are pending against the applicant. It is also submitted that the applicant was found to be in possession of country-made liquor about 9 bulk liters and looking to the huge quantity, he is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.
5. Considering the submissions made and the contents of the case diary and the nature of the case, the application deserves to be allowed.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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