

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6682 of 2017

- Shivprasad Mahilange S/o Bhagirathi Mahilange, Aged About 30 Years, R/o Village Dhurwakari, Police Station Pachpedi, Tahsil Masturi, District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Arakshi Kendra, Pachpedi, District Bilaspur Chhattisgarh.

---- Non-applicant

For Applicant – Shri K.K.Dewangan, Advocate.

For Non-applicant/State – Shri Sumit Jhanwar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-11-2017

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant was arrested on 06-10-2017 in connection with Crime No.123/2017 registered at P.S. Pachpedi, District Bilaspur, C.G. for the offence under Section 34(2) of the C.G. Excise Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in custody since 06-10-2017. No recovery has been made from the applicant. 18.400 bulk liter illicit country made liquor was seized from the co-accused. Hence, he may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission.
4. Heard learned counsel for both the parties and perused the case diary.
5. Considering the submissions made and the contents of the case diary, detention of the applicant till completion of investigation and trial would not serve any purpose. Hence, for these reasons the application deserves to be

allowed.

6. Consequently, the application (MCRC No.6682/2017) filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. 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 Court, for his appearance as and when directed.

7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge