

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 7421 of 2017**

Raj Kishore Mahato, son of Mushafir Mahto, aged about 29 years, R/o. Village Radheshyam Para Lata, P.S. Darri, District Korba (CG)

---Petitioner

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Darri, District Korba (CG)

---Non-applicant

For Applicant	:	Mr.Basant Kaiwartya, Advocate
For Non-applicant	:	Mr.Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

07/12/2017

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.120/2017, registered at Police Station-Darri, District-Korba (CG), for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.

2. Case of the prosecution, in brief, is that the present applicant is assisting main accused Munna Das from whom 18 bulk liters of illegal liquor has been seized.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He is in custody since 14.9.2017.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant and the fact that the applicant is in custody since 14.9.2017, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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 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, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-