

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8088 of 2017

- Yashwant Dheever S/o Late Shri Tulsiram Dheever, Aged About 19 Years, R/o Village Barouda, Police Station Kharora, District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kharora, Civil and Revenue District Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Mr. Pushpendra Kumar Patel, Advocate.

For Non-applicant/State – Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-02-2018

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 grant of regular bail. The applicant has been arrested on 05-12-2017 in connection with Crime No.394/2017 registered at P.S. Kharora, District Raipur, Chhattisgarh 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 05-12-2017. Hence, he may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that earlier criminal proceeding under the provision of Cr.P.C. has been initiated against the applicant and in the present matter in total 6.480 bulk liter illicit country liquor has been seized from the possession of the applicant. Hence, he is not entitled for grant of bail.
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, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail 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