

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 698 of 2018**

- Manish Alias Manesh Banjare S/o Shri Balduram Aged About 32 Years Profession Agriculture, Village Khariya, Police Station And Tahsil Bodhla, District Kabirdham, Chhattisgarh. (Wrongly Mentioned As Banjara In The Impugned Order)

---- Applicant

Versus

- State of Chhattisgarh Through The District Magistrate, District Kabirdham, Chhattisgarh

---- Respondent

MCRC No. 873 of 2018

1. Gopi Sahu S/o Shri Bedram Sahu Aged About 38 Years R/o Village-Dharampura, Thana – Pipariya, Tahsil – Kawardha, District Kabeerdham (C.G.)
2. Bhaddelal Paraste S/o Vishvanath Aged About 45 Years R/o Belgaon, Thana Mavai, District Mandla, Madhya Pradesh
3. Fagulal Meravi S/o Shri Garibalal Aged About 30 Years R/o Belgaon, Thana Mavai, District Mandla, Madhya Pradesh

---- Applicants

Versus

- State of Chhattisgarh Through District Magistrate, Thana Taregaon Jangal, District Kabeerdham, Chhattisgarh

---- Respondent

For Respective Applicants	:	Shri Prateek Sharma and Shri Anil Gulati, Advocates
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****27/03/2018**

1. Both these bail applications are decided together as they are arising out of the same crime number.
2. These are the First Bail Applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants in connection with Crime No. 26/2017 registered at Police Station Taregaon Jangal, Distt. Kabeerdham (CG) for the offence punishable under Sections 3 & 7 of the Essential Commodities Act.
3. As per the prosecution case, on an information received on 06.12.2017 a raid was conducted and four packets of rice were recovered from a pickup bearing No.MP 51 G 0542 and it is alleged that the said rice was meant for distribution and consumption in the Boys Hostel and was delivered by fair price shop. As such the offence has been committed.
4. Learned counsel for the applicants submits that total 21 quintal were procured from the fair price shop and on physical verification which was obtained on 09.12.2017 would show that entire 41 bags were present. He would further submit that the charge-sheet in this case has been filed and no further investigation is necessary and the applicants are in jail since 06.12.2017, therefore, the applicants may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the entire facts of this case also taking into the nature of allegations and also that the charge-sheet in this case has been filed and the applicants are in jail since 06.12.2017, I am inclined to release the applicant on bail.

7. Accordingly, both the bail applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge

Ashu