

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 993 of 2018

- Jitendra Verma S/o Indrajit Verma, Aged About 30 Years, R/o Chingali, Police Chowki Jalbandha, Police Station Khairagarh, Civil And Revenue District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khairagarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant – Smt. Savita Tiwari, Advocate.

For Non-applicant/State – Shri Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

19-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 15-09-2017 in connection with Crime No.281/2017 registered at P.S. Khairagarh, District Rajnandgaon, 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 15-09-2017. Hence, he may be enlarged on bail.

3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 18 bulk liter illicit liquor has been seized from the possession of the applicant. Also, earlier there are three cases under the provisions of the Excise Act registered against the applicant. Hence, he is not entitled for grant of bail.

4. In reply, learned counsel for the applicant submits that the applicant has been acquitted in two previous cases, only one case is pending against this applicant and that case is for trial on charge under Section 34(a) of the C.G.

Excise Act.

5. Heard learned counsel for both the parties and perused the case diary.

6. Considering the submissions made and the contents of the case diary, in the present matter detention of the applicant till conclusion of the trial would not serve any purpose. Hence, for these reasons the application deserves to be allowed.

7. 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.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge