

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 8151 of 2017

- Ramji Dandekar S/o Itwari Ram Dandekar, Aged About 37 Years R/o Village Khapridih Khurd, Police Station Kharora, District Raipur Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh S/o Through Station House Officer, Police Station Kharora, District Raipur, Chhattisgarh, Chhattisgarh.

---- Respondent

For Applicant – Shri Ravi Maheshwari, Advocate.

For Applicant/State – Shri Vinod Tekam, 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 10.05.2017 in connection with Crime No.122/2017 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 10.05.2017. 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 6.120 bulk liter illicit English liquor has been seized from the possession of the applicant. Also, against this applicant 3 previous cases for the offence under the provisions of the IPC and 1 previous case for the offence under the provision of Excise At, are registered. Hence, he is not entitled for grant of bail.

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

5. Considered the submissions made and the contents of the case diary.
6. Considering the fact that though earlier aforesaid cases have been registered against the applicant, but conviction of the applicant by any criminal Court has not been reported, and the fact that detention of the applicant till conclusion of the trial would not serve any purpose, this Court is of this view that 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.

Sd /-

(Rajendra Chandra Singh Samant)
Judge