

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8161 of 2017

- Gadarai Nishad S/o Ramji Nishad, Aged About 60 Years, Caste Kenwat, R/o Village Koilbahal, Police Station Singhoda, Tahsil Saraipali, District Mahasamund Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Singhoda, District Mahasamund Chhattisgarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Gurudev I. Sharan, Advocate.

For Non-applicant/State – Shri Vijay Bahadur Singh, 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 20-11-2017 in connection with Crime No.02/2017 registered at P.S. Singhoda, District Mahasamund, 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 20-11-2017. 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 14 bulk liter illicit country made 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