

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1250 of 2018

- Shatruhan Yadav S/o Late Rameshwar Yadav, Aged About 43 Years, R/o.- Kasturba Nagar, Near Kargil Chowk, Police Station-Civil Line, Tahsil And District- Bilaspur (C.G.), District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station-Civil Line, Bilaspur, District- Bilaspur (C.G.), District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Ms. Meenu Banerjee, Advocate.

For Non-applicant/State – Mr. Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-02-2018

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 17-01-2018 in connection with Crime No.57/2018 registered at P.S. - Civil Line, Bilaspur, District- Bilaspur (C.G.) 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 17-01-2018. 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 5.580 bulk liter illicit liquor has been seized from the possession of the applicant. Also, there are five previous cases registered against the applicant, out of which two cases are under the provisions of the Excise Act registered in the year 2014 and 2016. Hence, he is not entitled for grant of bail.

4. In reply, learned counsel for the applicant submits that as per the information received the applicant has been acquitted from the previous cases

under the provisions of the Excise Act.

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

6. Considering on the submissions made and the contents of the case diary, 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