

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1327 of 2018

- Shital @ Sonu Mahobiya S/o Rohit Mahobiya, Aged About 24 Years, R/o.- Village Baghmara, Police Station Chhuikhadan, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Outpost Chikhli, Police Station Kotwali, District- Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant – Shri Roop Naik, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, 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 27-01-2018 in connection with Crime No.60/2018 registered at Outpost Chikhli, Police Station Kotwali, 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 27-01-2018. 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 81 bulk liter illicit liquor has been seized from the joint possession of this applicant along with three other co-accused persons. Hence, he is not entitled for grant of bail.
4. Heard learned counsel for both the parties and perused the case diary.
5. 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.

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