

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1680 of 2018

- Soni Kumar Kurre S/o Shri Saukhiram Kurre Aged About 42 Years Caste- Satnami, R/o- Village- Piparsatti, P.S. And Tahsil- Akaltara, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The District Magistrate Janjgir- Champa, Through The Police Station- Akaltara District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13.03.2018

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 03.01.2018, in connection with Crime No. 04/2018 registered at P.S. - Akaltara, District – Janjgir - Champa, 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 03.01.2018. 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 06 bulk liters illicit liquor has been seized from the possession of the applicant. Also, against this applicant 04 previous cases are pending, one case is for the

offence under Section 307 of I.P.C and three cases are for the offence of preventive nature of Cr.P.C., 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. Though there are 04 previous cases registered against this applicant, but conviction or acquittal of the applicant has not been reported in any of those cases, further in the present matter detention of the applicant till completion of investigation and 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.

Sd /-

(Rajendra Chandra Singh Samant)
Judge