

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1874 of 2018

- Sanjay Bhashker S/o Bhanu Prakash Bhashker Aged About 31 Years
R/o- Village- Mini Basti, Jarhabhatha, Bilaspur, Thana- Civil Line,
Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Incharge Police Station, Civil Line,
District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Krishna Kumar Khatri, Advocate

For Respondent : Mr. N.K. Mehta, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26.03.2018

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 12.02.2018 in connection with Crime No. 147/2018 registered at P.S. - Civil Line, District – Bilaspur, Chhattisgarh, for the offence under Section 34(2), 59 (क) 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 12.02.2018. 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 5.220 bulk liters illicit liquor has been seized from the possession of the applicant. Also, against this applicant one previous case for the offence under the provisions of

NDPS, Act, in the year 2017 is registered. Hence, he is not entitled for grant of bail.

4. In reply learned counsel for the applicant submits that the applicant was on bail in the previous case registered against him, which is pending before the concerned Court.
5. Heard learned counsel for both the parties and perused the case diary.
6. Considering the submissions made by learned counsel, contents of the case diary and looking to the facts of this case, I am of the view that it is a fit case where the applicant is entitled for grant of bail.
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