

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7919 of 2017**

Gurubaksh Singh Chhabra S/o Late Shri Ravel Singh, Aged About 60 Years R/o Ward No. 09, Near Old Gurudwara, Manendragarh, District Koriya Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through S H O, P. S. Manendragarh, District Koriya Chhattisgarh

---- Respondent

For the Applicant : Shri Achyut Tiwari, Advocate.

For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****11.01.2018**

The matter is heard on out of turn, on the basis of the order of the Hon'ble Supreme Court in S.L.P. (Cr.) No. 9068 of 2017 in which the expeditious disposal of the application has been directed.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 181 of 2017, registered at Police Station Manendragarh, District Koriya, Chhattisgarh for the offence punishable under Sections 34(2), 41 and 42 of the Excise Act.
2. Learned counsel for the applicant submits that the applicant is in jail since 4.12.2017 and he has been falsely implicated in this case. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant has a history of criminal record having some cases registered against him for the offences under Indian Penal Code. Hence, it is prayed the applicant is not entitled for grant of bail. In reply, learned counsel for the applicant submits that the applicant has not been convicted in any case.

4. Heard counsel for both the parties and perused the case diary.

5. As per the facts of the case, 51 bulk liters of foreign liquor was seized from the factory premises of the applicant.

6. Considering the submissions and the contents of the case-diary, after overall consideration, I am of the considered opinion that the applicant deserve to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge