

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3043 of 2018**

Rajesh Kumar Dubey S/o Late Shri Janki Prasad Dubey Aged About 39 Years R/o Brahmanidih, Police Station Brahmanidih, District Janjgir Champa, At Present Jaijaipur, Police Station Jaijaipur, District Janjgir Champa, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Jaijaipur, District Janjgir Champa, Chhattisgarh

----Non-applicant

For Applicant	:	Ms. Laxmin Tondey, Advocate
For State	:	Mr. Prasun Bhaduri, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order on Board****30/05/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 55/2018 registered at Police Station Jaijaipur, District Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 294, 170, 506, 457, 34 of Indian Penal Code.
2. The present applicant is in jail since 26.02.2018 in connection with the aforesaid Crime number.
3. The case of prosecution is that the applicant impersonating as an Excise Officer collected liquor from the liquor shop.
4. The learned counsel for the applicant submits that the applicant has been falsely implicated on an after thought allegation in connection with some other dispute and except this statement, there is no recovery of any incriminating material made from the possession of the applicant. He further submits that the investigation is complete,

charge-sheet has been filed and therefore prays for releasing the applicant on bail.

5. On the other hand, the State counsel opposing the bail application submits that in view of the statement, the present applicant may not be granted bail at this juncture and prayed for rejection of the same.
6. Taking into consideration the submission of the learned counsel for the parties, further taking into consideration the nature of allegation, quantity of liquor collected and that the applicant is in jail since 26.02.2018, investigation is complete, charge-sheet has been filed, not likely to abscond or temper with prosecution witnesses, this Court is of the opinion that a fit case has been made out for grant of bail to the applicant. Accordingly, the present application for grant of bail is allowed.
7. 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 two local sureties in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

Sd/-
(Manindra Mohan Shrivastava)
VACATION JUDGE