NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 4538 of 2018

Dharmendra Jangde S/o Shri Rupchand Jangde Aged About 30 Years R/o- Village Gidhpuri, Police Station- Pachpedi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station Pachpedi, District-Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Amit Singh, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

09.07.2018

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.70 of 2017, registered at Police Station Pachpedi, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 34(2), 36 and 59(A) of the Chhattisgarh Excise Act.

2. Learned counsel for the applicant submits that the applicant is in jail since 15.6.2018 after being arrest on permanent warrant issued by the concerned Court and he has been falsely implicated in this case; therefore, he may be released 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 been absconding from the very beginning and if he is released on bail, that may affect the trial of the case against him. Hence, for these reasons, the applicant is not entitled for grant of bail.

5. In total, 8 bulk liters of handmade country liquor was seized from joint possession of the applicant and two co-accused persons. Hence, this case.

6. Considering the entire material present in the case-diary, I am of the considered opinion that the applicant deserves 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 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.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi