

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4934 of 2018**

Sanjay Singh, S/o. Chetan Prasad Singh, Aged About 44 Years, R/o. Tikrapara Police Station Dongargarh, District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : Police Station Dongargarh, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicants	:	Ms. Aparna Singh, Advocate
For Respondent	:	Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****23/07/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 105/2018, registered at Police Station- Dongargarh, District – Rajnandgaon (C.G.) for the offence punishable under Section 307/34 of the Indian Penal Code and Section 34 (2) of the Chhattisgarh Excise Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Charge-sheet has been filed in this case and the applicant was arrested later on 20.06.2018, which shows that he has no connection with the crime in question. Therefore, it is prayed that the applicant may be enlarged on bail.
3. Learned State counsel opposes the prayer for grant of bail and the submission made in this respect.

4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. According to the prosecution case, on the date of incident, this applicant along with other co-accused person were transporting 153 bulk liters foreign liquor in the vehicle and when the police party tried to stop the vehicle, the vehicle dashed against the police personnel and the vehicle was driven away, which was left in abandoned conditions by the occupants of the vehicle and the seizure has been made from that vehicle. Arrest of this applicant has been made on the basis of the memorandum statement given by the co-accused person. Hence, this case.
6. Considered the submissions made and the contents of the case diary. After due consideration on all the material present in the case diary, this Court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge