

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5784 of 2018

- Nutan Kumar S/o Shri Gendlal Gond, Aged About 35 Years, Occupation- Agriculturist, R/o- Village- Khemda, Thana- Komakhan, Tahsil- Bagbahra, Civil And Revenue District- Mahasamund, Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer Police Station-Komakhan, Civil And Revenue District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

----Non-applicant

For Applicant – Shri Sumit Shrivastava, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-08-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 24-07-2018 in connection with Crime No.89/2018 registered at P.S. -Komakhan, District- Mahasamund, Chhattisgarh for the offence under Section 34(2) of 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 jail since 24-07-2018. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 09 bulk liter illicit liquor has been seized from the possession of the applicant. Hence, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. Considering on the submissions made and the contents of the case diary, detention of the applicant till conclusion of the trial would not serve any

purpose. Hence, for these reasons, I am of the view that the application deserves to be allowed.

6. 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.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge