

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5872 of 2018**

1. Sanjesh Rathi S/o Charan Lal Rathi Aged About 27 Years R/o- Village-Anjaniya, House No. 09 Infront Of Hospital Thana- Chhapra, Civil And Revenue District- Seoni (M.P.)
2. Ajay Singh S/o Shri Suryadev Singh Aged About 38 Years R/o- Village-Munud, Thana- Chhal, Tahsil- Dharamjaygarh, Civil And Revenue District- Raigarh, CG
3. Rajesh Sao S/o Shri Krishna Sao Aged About 38 Years R/o- Camp-1 Bhilai, Thana- Chhawani, District- Durg, CG At Present Resident Of Singh Dhaba Munund, Tahasil- Dharamjaygarh, Civil And Revenue District- Raigarh, CG
4. Rajeev Kumar Sao S/o Shri Ram Sao Aged About 28 Years R/o- Camp-1, Bhilai, Thana- Chhawani, District- Durg, Chhattisgarh At Present Resident Of Singh Dhaba Munund, Tahasil, Dharamjaygarh, Civil And Revenue District- Raigarh, CG

---- Applicants

Versus

The State Of Chhattisgarh Through- The Station House Officer, Police Station- Chhal, District- Raigarh, CG

---- Respondent

For applicants	Mr. Sunil Sahu, Adv.
For Respondent/State	Mr. Vinod Tekam, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****31-8-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no bail application is pending before any other court.
2. The applicants have been arrested in connection with Crime No. 82/2018 registered in police station Chhal, Distt. Raigarh (CG) for offence punishable under Section 120-B of the IPC and Sections 3 and 7 of the Essential Commodities Act.
3. Perused the case diary.
4. Prosecution story in brief is that on 10-5-2018 at about 2.30 am sub-inspector conducted raid in Singh Dhaba, Munund. It was found that a tanker bearing registration No. GJ 15 Z 1949 was present there. On that tanker, 'Pubic Distribution System' was written. From that tanker, blue kerosene was being filled in truck bearing registration No. CG 04 HV 7027. The driver of that tanker was Mayaram. The driver of that

truck was Sanjesh Rathi. Applicant Ajay Singh, owner of the Singh Dbaba was purchasing the blue kerosene from Mayaram who was selling the said kerosene. Owner of the tanker are Jairam Bareth and Anil Sabarwal. From said Dhaba, 17 barrels containing kerosene were also seized. The applicants Ajay Singh, Rajesh Sao and Rajeev Kumar Sao were also involved in sale of blue kerosene. Blue kerosene is essential commodity and could not be sold openly.

5. Looking to the fact that the blue kerosene is the essential commodity and could not be sold in open market, it is subject matter of the public distribution system, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicants.
6. Consequently, the application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge