

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8031 of 2017

- Harikishan Yadu Son Of Ramesh Yadu, Aged About 22 Years R/o Village Kodwa, Police Station Bhatapara Gramin, District Baloda Bazar-Bhatapara, Chhattisgarh., Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Bhatapara Gramin, District Baloda Bazar- Bhatapara, Chhattisgarh., Chhattisgarh

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate.
For Non-applicant/State	:	Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for grant of regular bail. The applicant has been arrested on 01-12-2017 in connection with Crime No.398/2017 registered at P.S. Bhatapara (Gramin), District Baloda Bazar-Bhatapara, Chhattisgarh for the offence under Section 34(2) of the C.G. Excise Act and Section 420 of Indian Penal Code.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in custody since 01-12-2017. Hence, he may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 99 bulk liter illicit foreign liquor has been seized from the possession of the applicant. Hence, he is not entitled for grant of bail.
4. Heard learned counsel for both the parties and perused the case diary.
5. Considering the submissions made and the contents of the case diary,

detention of the applicant till completion of investigation and trial would not serve any purpose. Hence, for these reasons 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

Nisha