

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 146 of 2018

- Tejram Dewangan S/o Heeralal Dewangan, Aged About 40 Years R/o Village Dokarpali, Thana Tendukona District Mahasamund Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Tendukona, District Mahasamund Chhattisgarh, Chhattisgarh

---- Respondent

For Applicants	:	Shri Vikas Pradhan, Advocate.
For Non-applicant/State	:	Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-02-2018

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 applicants has been arrested on 12-12-2017 in connection with Crime No.135/2017 registered at P.S. - Tendukona, District Mahasamund, Chhattisgarh, for the offence under Section 34(2) of the C.G. Excise Act.
2. It is submitted on behalf of the applicants that the applicant has been falsely implicated in this case. He is in custody since 12-12-2017. 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 8 bulk liter illicit liquor has been seized from the possession of the applicant. Also, against this applicant one previous case for the offence under the C.G. Excise Act are registered. Hence, he is not entitled for grant of bail.
4. Heard learned counsel for both the parties and perused the case diary.
5. Considered the submissions made and the contents of the case diary.

Though there are one previous case registered against this applicant, but conviction or acquittal of the applicant has not been reported in any of those cases, further in the present matter 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha