

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1103 of 2019

- Kundan S/o Chetan, Aged About 45 Years, R/o Village: Badhiyatola, Police Station Dongargarh, District Rajnandgaon Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station Dongargarh Civil And Revenue, District Rajnandgaon Chhattisgarh

---- Respondent

For Applicant – Shri Keshav Dewangan, Advocate.

For Non-applicant/State – Shri Aman Kesharwani, Panel Lawyer.

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board

19-02-2019

1. Heard the matter finally.
2. This is the Second Bail Application u/s 439 of the Cr.P.C. for grant of regular bail to the applicant in connection with Crime No. 550/18 , registered at Police Station: Dongargarh, District: Rajnandgaon (C.G.) for offence punishable u/s 34 (2) of C.G. Excise Act.
3. The First Bail Application was dismissed as withdrawn with liberty to renew the prayer for bail vide order dated 17.12.2018 in M.Cr.C. No. 9416/2018.
4. It is submitted on behalf of the applicant that he has been falsely implicated in this case. He is in custody since 09-11-2018. 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 5.400 country made 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/-
(Vimla Singh Kapoor)
Judge