

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3868 of 2019

- Shivkumar @ Paliha S/o Chitiram Satnami, Aged About 42 Years, R/o Bijradih, P.S.- Gidhpuri, District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Gidhpuri, District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant – Shri A.S.Rajput, Advocate.

For Non-applicant/State – Shri Siddarth Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-06-2019

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 28-05-2019 in connection with Crime No.55/2019 registered at P.S. Gidhpuri, District- Balodabazar-Bhatapara, Chhattisgarh for the offence under Section 34(2) of the 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 28-05-2019. Hence, he may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted in this case total 10 bulk liter illicit liquor has been seized and the applicant was involved in the aforesaid offence. 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)
Vacation Judge