

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4842 of 2019

- Ashish Agrawal S/o Shri Parasmal Agrawal, Aged About 35 Years, R/o Villiage- Ward No. 10 Main Road, Khariyar Road, Police Station- Jonk (Khariyar Road), Civil and Revenue District- Nuapada, Orissa., District : Nuapada, Orissa

---- Applicant

Versus

- State of Chhattisgarh, Through the Station House Officer, Police Station- Bagbahra, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

----Non-applicant

For Applicant – Shri Sumit Shrivastava, Advocate.

For Non-applicant/State – Shri Roshan Dubey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-08-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. The first bail application filed under Section 439 of the Cr.P.C. by this applicant before this Court was dismissed as withdrawn. The applicant has been arrested on 03-06-2019 in connection with Crime No.140/2019 registered at P.S. - Bagbahra, District- Mahasamund, Chhattisgarh for the offence under Section 34(2) of the Chhattisgarh 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 03-06-2019. The charge sheet has been filed in the case. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that 200 bulk liter illicit liquor has been seized from the possession of the applicant. Therefore, 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. Therefore, 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)
Judge