

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5102 of 2019

- Sandeep Sahu S/o Suresh Sahu, Aged About 32 Years, R/o Village Gorakhpur, Tehsil Pendra, Police Station Gourela, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Excise Circle Pendra, Police Station Pendra, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicant – Shri Ashok Soni, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-08-2019

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 21-07-2019 in connection with Crime No.13/2019 registered at P.S.- Excise Circle Pendra, Police Station Pendra, District Bilaspur, Chhattisgarh (wrongly written P.S. Gourela in order sheet) for the offence under Section 34(1) ऋ, 34(2), 36 read with Section 59A of the C.G. 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 21-07-2019. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 5.76 bulk liter illicit liquor has been seized from the possession of the applicant. Also, there is one previous prosecution under Section 307 of the IPC against the applicant. 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)
Judge