

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5558 of 2019

- Pradeep Kumar Chandrakar S/o Late Radheshyam Chandrakar, Aged About 42 Years, R/o Ward No. 10, Uparwara, Abhanpur, Police Station Abhanpur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Abhanpur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri Rekhraj Baghel, Advocate.

For Non-applicant/State – Shri Arijit Tiwari, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02-09-2019

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 04-08-2019 in connection with Crime No.392/19 registered at P.S. - Abhanpur, District Raipur, Chhattisgarh for the offence under Section 34(2) of 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 04-08-2019. 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 total 5.580 bulk liter illicit liquor has been seized from the possession of the applicant. Also, there are nine previous prosecution against the applicant, out of which four matters are under the provisions of the Excise Act.

4. In reply, it is submitted by learned counsel for the applicant that previous prosecution against the applicant under the provisions of the Excise Act are disposed off and criminal cases under the provisions of the IPC are pending in

which the applicant is bail out.

5. Heard learned counsel for the parties and perused the case diary.

6. 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.

7. 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