

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5910 of 2019

- Girendra Kumar Yadav S/o Budhulal Yadav, Aged About 43 Years, Permanent R/o Village Acholi Tehsil and P. S. Dongargarh, District Rajnandgaon Chhattisgarh Currently Residing at Sikolabhata Ward No. 14, Durg District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through District Magistrate Rajnandgaon, District Dhamtari Chhattisgarh, District : Rajnandgaon, Chhattisgarh

--- Non-applicant

For Applicant – Shri Vikash Shrivastava and Shri Priyank Rathi, Advocates.
For Non-applicant/State – Shri Jitendra Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-09-2019

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 16-08-2019 in connection with Crime No.426/2019 registered at P.S. - Dongargarh, Rajnandgaon, District Rajnandgaon, Chhattisgarh for the offence under Section 34(2) of Chhattisgarh Excise Act, 1915.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 16-08-2019. Similarly placed co-accused persons have been granted bail by this Court. 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 looking to the quantity of illicit liquor that has been seized from the joint possession of this applicant and the co-accused persons, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.

5. This applicant and two co-accused persons namely Rupesh Sahu and Abhishek Rajput found in joint possession of 17.280 bulk liter of illicit liquor. Hence, this case.

6. As the similarly placed co-accused persons have been granted bail in MCRC No.5730 of 2019 by order dated 02-09-2019, therefore, I feel inclined to allow this application.

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