

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5856 of 2019

- Mahendra Kumar Sinha S/o Shri Jeevan Lal Sinha, Aged About 49 Years, R/o Village - Chilhati, Thana - Chilhati District - Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- The State of Chhattisgarh Through The Station of Officer - Excise Circle Rajnandgaon (b), District - Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

----Non-applicant

For Applicant – Shri S.S.Baghel, Advocate.

For Non-applicant/State – Shri Shrikant Kaushik, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-09-2019

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 25-08-2019 in connection with Crime No.122/2019 registered by P.S. - Excise Circle Rajnandgaon (b), District - Rajnandgaon, 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 25-08-2019. 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 45.00 bulk liter illicit liquor has been seized from the possession of the applicant. Also, there are five previous cases of similar nature registered against the applicant. Hence, the application may be rejected.

4. In reply, learned counsel for the applicant submits that the applicant has been acquitted in four previous cases against him and one case is pending in

which he is on bail.

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