

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6322 of 2019

- Surai Pradhan S/o Hari Pradhan, Aged About 31 Years, R/o Village Haldibadi, Police Station Chirmiri, Tahsil Khadgawan, District Korla, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Chirmiri, District Korla, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

----Non-applicant

For Applicant – Shri Pawan Kesharwani, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-09-2019

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 06-09-2019 in connection with Crime No.312/2019 registered at P.S. - Chirmiri, District Korla, Chhattisgarh for the offence under Section 34(2) of 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 06-09-2019. 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 6.840 bulk liter illicit liquor has been seized from the possession of the applicant. Also, there are 11 cases registered against the applicant out of which six cases are of Excise Act. Hence, he is not entitled for grant of bail.

4. In reply learned counsel for the applicant submits that the applicant has been acquitted in all the previous cases against him.

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 today.

Sd/-

(Rajendra Chandra Singh Samant)
Judge