

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6964 of 2019

- Manoj Kumar Ghasiya, S/o Shri Mahesh Kumar, Aged About 35 Years R/o Sweeper Colony Ward No. 25 Mahasamund, Police Station And District-Mahasamund, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer Police Station Mahasamund, District-Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sunil Sahu, Advocate.
For Respondent	:	Mr. Arijit Tiwari, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

15/11/2019

1. This is the second bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973. His first application bearing MCRC No.6418 of 2019 was dismissed as withdrawn vide order dated 01.10.2019.
2. This bail application under Section 439 of the Code of Criminal Procedure, 1973 has been filed for grant of regular bail to the applicant who has been arrested in connection with Crime No.371/2019 registered at Police Station–Mahasamund, District–Mahasamund(C.G.) for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.
3. It is submitted by the learned counsel for the applicant that applicant has not committed any offence and she has been falsely implicated in

this case. The applicant is in jail since 15.9.2019. The co-accused has been granted bail and, further, the charge-sheet has also been filed, therefore, it is prayed that the applicant be granted regular bail.

4. Learned State Counsel opposes the application and submissions made in this respect. It is submitted that this applicant has a criminal history being prosecuted for about in 14 cases under various provisions of IPC, therefore, he is not entitled for grant of bail.
5. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
6. 75.750 bulk liters country made liquor was seized from the possession of this applicant and the co-accused Vaibhav Mohanti. Hence, this case.
7. Considering that the investigation is now complete and the case is now pending for trial before the Court, therefore, I am inclined to allow the application of this applicant.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha