

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2017 of 2020**

1. Ajeet Singh, S/o- Shri Dhanesar Singh, Aged about 42 years, R/o- Maharajganj, Chowki Ganesh Mod, PS- Balrampur, District Balrampur Ramanujgan (C.G.)
2. Prabhu Ram, S/o- Shri Veharam, Aged about-43 years, Occupation- Hostel Superintendent, R/o- Navadih, PS Balrampur, District Balrampur Ramanujgang (C.G.)

---- Applicants

Versus

- State of Chhattisgarh, Through – SHO- Balrampur, District Balrampur, Ramanujganj (C.G.)

---- Respondent

For Applicants : Mr. Dheerendra Pandey, Advocate.
 For Respondent/State : Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.06.2020**

- The accused/applicants have moved their first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 26/2020 registered at Police Station – Balrampur, District Balrampur Ramanujganj (C.G.) for the offence punishable under Section 3 read with Section 7 of the Essential Commodities Act, 1955.
- According to the prosecution story, on 28.02.2020 a secret information has been received through *Mukhbir* at the Police Post- Ganesh Mor and according to the information, the police reached the Maharajganj Grocery Store of co-accused Dilip Dey. Police interrogated the co- accused in connection with Government rice and recovered 9 piece official jute sack rice PDS in the warehouse and also seized 18 white empty gun bags and 15 piece PDS tags. Police has given notice of 91 CRPC to co accused for possessing Government rice. He was present the document which was related to the present applicants, so the police arrested the applicants for the above

crime.

- Learned counsel for the applicants submits that the applicants are innocent person and they have been falsely implicated in the aforesaid case. He next contended that the applicants are in jail since 01.03.2020, therefore they may be granted bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 50,000/- each, with one local surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.
- It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Sd/-

(Rajani Dubey)
Judge