

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2743 of 2020

Dilip De, S/o Late Upendra De, Aged About 55 Years, R/o Mahrajganj, Semartad, Police Chouki Ganeshmod, Thana- Balrapur, District- Balrampur- Ramanujganj (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through, Police Chouki Ganeshmod, Thana- Balrampur, District- Balrampur- Ramanujganj (C.G.)

---- Respondent

For Applicant	:	Mr. Vikash Pandey, Advocate.
For Respondent	:	Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

29/05/2020

1. Heard.
2. Admit.
3. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him 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 & 7 of the Essential Commodities Act.
4. Case of the prosecution is that the applicant and other co-accused persons have obtained inappropriate benefits by rigging the distribution on fair price rice and thereby committed the offence.
5. Learned counsel for the applicant submits that the applicant has

been falsely implicated in the crime in question. He further submits that as the applicant is in custody since 28.02.2020 and the trial is likely to take some time for its final disposal, he may be released on bail.

6. On the other hand, counsel for the State opposes the bail application.
7. Taking into consideration the fact that the applicant is in custody since 28.02.2020, case is triable by the Judicial Magistrate First Class, trial is likely to take some more time and further taking into account the nature and gravity of offence and plea raised by the applicant that he has falsely been implicated in case, I am of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 50,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the concerned Court as and when directed.
9. It is made clear that if the applicant has 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), he 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 he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Arun