

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6533 of 2020**

1. Vinod Nishad, S/o. Dhan Singh Nishad, Aged About 28 Years, Resident Of Village Karchali, Police Station Chhura, District Gariyaband Chhattisgarh.
2. Bhuvneshwar Dhruw, S/o. Shyamlal Dhruw, Aged About 36 Years, Resident Of Village Akalwara, Police Station Chhura, District Gariyaband Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant : Mr. Shakti Raj Sinha, Advocate.

For Respondent/State : Mr. Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****15.12.2020**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 13.08.2020 in connection with Crime No. 136/2020 registered at Police Station Fingeshwar, District Gariyaband, for the offence punishable under Section 379, 411, 409, 414, 34 of Indian Penal Code and Section 3/7 of Essential Commodities Act.
2. As per the prosecution case, a Truck bearing C.G. 04 J.A. 4727 was intercepted and it was found that 25 Quintal Rice and 50 Quintal Gram (Chana) was loaded for which no valid documents were produced. These were meant for Public Distribution System and the allegation is that the present applicants were salesmen of the Fair Price Shop for which the Grams were distributed freely.
3. Learned counsel for the applicant submits that the other co-accused has been enlarged on bail by the coordinate Bench and he has placed the order

passed by the coordinate Bench. He submits that the charge sheet has been filed, therefore, the applicants may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the fact that the charge sheet has been filed and seizure has already been made, no further evidence is required and further considering the fact that the other co-accused have already been enlarged on bail, I am inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Goutam Bhaduri)
Judge

Ashok