

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8242 of 2020**

Sumit Jat, Aged about 23 years, S/o:- Dharamveer Jat, R/o:- Village – Atawala,
Tahsil – Matlauda, District – Panipat, Hariyana (H.R.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through: S.H.O. - P.S. - Hirri, District – Bilaspur (C.G.)

---- Non-applicant

For Applicant : Mr. Hemant Gupta, Advocate.
For Non-applicant / State : Mr. Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/12/2020**

(1) The accused/applicant has moved this Second bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 34/2020 registered at Police Station – Hirri, District Bilaspur (C.G.) for the offences punishable under Sections 34(2) and 59(A) of the Chhatisgarh Excise Act.

(2) The applicant's first bail application was dismissed as not pressed by order of this Court dated 09.06.2020 passed in M.Cr.C. No. 2349 of 2020.

(3) Case of the prosecution, in brief, is that the applicant and other co-accused – Dilip Dhirtlahre were found in possession of 146.88 bulk liters of illicit liquor unauthorizedly and without authority of law.

(4) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question as he has not committed any offence. He further submits that the applicant has already been released on parole, which he has not misused and even otherwise the charge sheet has already been filed and no custodial interrogation is required and, therefore, the applicant may be released on bail.

(5) On the other hand, learned counsel for the State opposes the bail application.

(6) I have heard the counsel appearing for the parties and perused the case diary.

(7) Taking into consideration the facts & circumstances of the case, nature & gravity of the offence and considering the fact that charge sheet has already been filed, this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(8) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

