

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7440 of 2019

- Ashwani Kumar Sonkar S/o Shri Bhuneshwar Prasad Sonkar Aged About 37 Years R/o Village Gadhsivni, Police Station Tumgaon, Tahsil And District Mahasamund Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Tumgaon, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant	: Shri Shikhar Sharma, Advocate
For Respondent/State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/01/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 191/2019 registered at police station Tumgaon, district Mahasamund (CG) for the offence punishable under Sections 406 and 468/34 IPC.

As per prosecution case, complaint was made by the Sub Inspector (Excise) at police station Tumgaon that a Country liquor shot, Achhola was being operated by CG State Corporation Limited and the work was being undertaken by Man Power Agency Eagle Hunter Solutions Pvt. Limited and on 01.10.2019, the charge was given to Alert Commandos Pvt. Limited. It is stated that this company

has manipulated in the stock register and has thus committed fraud.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the main allegation is against Peelu Ram and not the present applicant. He submits that the co-accused persons have already been granted bail by this Court in M.Cr.C. Nos. 7481/2019 and 7440/2019 vide order dated 09.01.2020 and therefore the present applicant may also be granted similar benefit. He submits that the applicant is in jail since 25.10.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation and the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge