

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6676 of 2021**

- Tameshwar Ratnakar S/o Shri Sunder Lal Ratnakar, aged about 42 Years, R/o Satnamipara, Kota, Police Station Saraswani Nagar, District Raipur, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Aamanaka, District Raipur, Chhattisgarh.Chhattisgarh

---- Respondent

For Applicant	:	Mrs. Renu Kochar, Advocate.
For Respondent	:	Mr. Devendra Pratas Singh, Dy. A.G.

Hon'ble Smt Justice Rajani Dubey**Order on Board****01/11/2021**

1. The applicant has filed this **First** bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 20.08.2021 in connection with Crime No.189/2021 registered at Police Station : Aamanaka, District Raipur (C.G.) for the offence punishable under Section 3 and 7 of the Essential Commodities Act.
2. The allegation against the present applicant, as per the prosecution, is that the applicant was found in illegal possession of 4000 liters kerosene oil stored for selling purpose, which was kept the house of one Akhtar Bhai.
3. Learned counsel for the applicant submits that the present applicant has been falsely implicated in the crime in question. Learned counsel further submits that the house

from which the kerosene oil has been seized does not belong to the applicant, nor he is the tenant of the house. Learned counsel next submits that the applicant is in custody since 20.08.2021, charge sheet has been filed and there is no likelihood of his case being decided in near future, therefore, the applicant may be released on bail.

4. State counsel, however, opposing the bail application submits that the present applicant is involved in storing kerosene oil illegally and considering the nature of offence, the applicant does not deserve to be released on bail.
5. Heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that the offence is triable by Magistrate, charge sheet has been filed as also detention period of the applicant, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.1,00,000- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge