

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7750 of 2021

1. Santosh Deldia (Jain) S/o Mr. Rikhab Chand Jain, Aged About 42 Years R/o Ward No. 32, Brahman Para, Mohan Nagar, Durg Chhattisgarh.
2. Polendar Jagat, S/o Amar Das Jagat, Aged About 26 Years R/o 25 Ward No.4, Near Budhh Vihar, Gautam Nagar, Bhilai, Durg Chhattisgarh ---- **Applicant**

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station Mandir Hasaud Raipur Chhattisgarh. ---- **Non-Applicant**

For Applicant:	Shri TK Jha, Advocate.
For Non-Applicant/State :	Shri DC Verma, Government Advocate.

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

25.10.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.289/2021 registered at Police Station – Mandir Hasaud, Raipur, Chhattisgarh for the offence punishable under Sections 3 & 7 of the Essential Commodities Act and under Sections 146,/196, 66/192 and 56/192 of the Motor Vehicles Act .
2. Prosecution case in brief is that after receiving a secret information on 20.06.2021, the Food Inspector checked the vehicle/Gas Tanker No.CG 07 BT 3572 coming from Mahasamund road containing liquefied petroleum gas and found that the license of the same has expired and therefore, offence under Sections 3 & 7 of the Essential Commodities Act and under Sections 146,/196, 66/192 and 56/192 of the Motor Vehicles Act has been registered.

3. Learned Counsel for the Applicant submits that the Applicant has no connection with the crime in question at all and has been falsely implicated in the same for which, he is in jail since 13.09.2021, charge sheet has already been filed and therefore, he may be released on bail.
4. Per contra, learned Counsel for the State opposed the bail application.
5. Considering the facts and circumstances of the case, the period of detention, the nature of allegation and the trial is likely to take sometime for its conclusion, therefore, I am inclined to grant regular bail to the Applicant.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed. In case any default is committed by the Applicant in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Deepak Kumar Tiwari)
Judge

Priya