

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3711 OF 2015**

Basant Kumar, Aged About 24 Years, S/o Kush Lal Shrivastava, R/o Vill-Newsa,
P.S. Hardi Bazar, Tah. Katghora, Dist. Korba (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through S.H.O. Bhupdevpur, Dist. Raigarh (C.G.)

---Non-applicant

For Applicant	:	Mr. Ravindra Sharma, Advocate.
For-Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****03/08/2015**

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. 55/2015, registered at Police Station Bhupdevpur, Dist. Raigarh (C.G.), for the offence punishable under Sections 399, 402 of I.P.C. and 25, 27 of Arms Act.

2. Case of the prosecution, in brief, is that, present applicant and four other co-accused persons were found assembled for the purpose of committed dacoity and found making preparation to commit dacoity and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the offence in question. He would further submit that nothing has been seized to connect the applicant in offence in question. He would lastly submit that charge sheet has been filed and applicant is in jail since 10/04/2015, therefore, he may be

released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that country made pistol and one sharp edged weapon has been seized from the possession of present applicant.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; and consequent seizure from the possession of present applicant particularly, pistol, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari