

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4665 OF 2015**

Lalchand Vishwakarama @ Lala aged about 34 years S/o Shri Ghasiram
R/o Sheetla Chowk Lakholi Ward No. 34, Shahar, Tahsil, Civil and Revenue
District Rajnandgaon (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through, Station House Officer Police Station
Dongargaon, District Rajnandgaon (C.G.)

---Non-applicant

For Applicant	:	Mr. Abhishek Sharma, Advocate
For Non-applicant	:	Mr. S.R.J. Jaiswal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/09/2015**

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. 202/2015, registered at Police Station Dongargaon, District Rajnandgaon (C.G.), for the offence punishable under Sections 25, 27 of the Arms Act, 1959.

2. Case of the prosecution, in brief, is that, applicant is said to have in possession of one pistol and two live cartridge on 21/07/2015 and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that no custodial interrogation is required and no useful purpose would be served by keeping him in jail. He would lately

submit that charge sheet has been filed and applicant is in jail since 21/07/2015, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that pistol 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; role of the present applicant in offence in question; charge sheet has already been filed and applicant is in jail since 21/07/2015, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

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

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE