

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6109 of 2015

Kamal Agrawal, son of Mahendra Agrawal, aged about 32 years,
resident of Sitamani Chowk, Korba, District Korba (C.G).

--- Applicant

Versus

State of Chhattisgarh through the Police Station Kotwali, Korba, Civil
and Revenue District Korba, Chhattisgarh

--- Non-applicant

For the applicant	:	Mr. Vivek Ranjan Tiwari, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 454 of 2014 registered at P.S. Kotwali, District Korba (C.G) for the offence punishable under Sections 25 & 31 of the Arms Act.
2. As per the prosecution case, on 24.08.2014, the Police Station Kotwali has received information that the present applicant was wandering near a place known as Sitamani Chowk with arms like country made pistol and cartridges therefore the police after conducting raid caught hold of him and recovered a pistol from his possession.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and according to the statement of seizure witness, no case would be made out against the applicant. He further submits that because of some enmity, he has been falsely implicated and considering the detention of the applicant as he is in jail since 24.08.2014, the applicant may be released on bail.
4. Per contra, learned State Counsel opposes the bail. He submits that earlier also the applicant has been convicted under the Arms Act, for

which, the revision is pending.

5. I have gone through the charge sheet and the statement of the seizure witness.
6. After going through the statement of seizure witness and considering the detention period of the applicant, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court on each and every date as may be given by the said court.
8. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**