

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7178 of 2015

1. Heeradhar Sahu, S/o. Antram Sahu, aged about 22 years, R/o. Village – Nunpani, Police Station – Kosir, District – Raigarh (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Police Station -Jutemil Chowki, Raigarh, District – Raigarh (C.G.)

---- Respondent

For Applicant : Mr. Ashish Gupta, Advocate

For Respondent/State : Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/12/2015

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.668/2015, registered at Police Station – Chowki-Jutemil, District – Raigarh (C.G.) for the offence punishable under Section 25 of the Arms Act.
2. Case of the prosecution, in brief, is that 01.09.2015, on information received that the applicant was standing in suspicious circumstances and on being searched from the possession of the applicant one country made pistol was recovered and thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that the applicant has not committed any offence. He would further submit that no further investigation is required and the charge sheet has been filed and the applicant is in jail since 01.09.2015, therefore, the counsel

prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and taking into consideration the nature and the gravity of offence and further considering the fact that the charge sheet in this case has been filed and the applicant is in jail since 01.09.2015, this Court is of the opinion that present is a 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 his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge