

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3958 OF 2015**

Siyalal Yadav S/o Ghassuram Yadav aged about 55 years R/o village Dongaripara Chipawand P.S. Kondagaon Revenue and Civil District Kondagaon (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through, the Police Station Kondagaon, District Kondagaon (C.G.)

---Non-applicant

For Applicant	:	Mr. Pravin Kumar Tulsyan, Advocate
For Non-applicant	:	Mr. Lav Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2015**

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. 173/2015, registered at Police Station Kondagaon, District Kondagaon (C.G.), for the offence punishable under Section 25 of the Arms Act.

2. Case of the prosecution, in brief, is that, a country made pistol has been recovered from the possession of present applicant without authority of law.

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 applicant is in jail since 27/06/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.
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 and pretrial detention of the applicant, 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 concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE