

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2885 of 2015**

Prem Prakash Yadav, Aged about 37 years, S/o:- Shiv Kedar Yadav, cast-Ahir, R/o:- Village-Jarhi, P.S.-Bhatgaon, District – Surajpur, C.G.

---Applicant**Versus**

State of Chhattisgarh Through:- S.H.O- Pratappur, District-Surajpur, C.G.

---Non-applicant

For Applicant	:	Mr. Hemant Gupta, Advocate
For Non-applicant	:	Mrs.Madhu Nisha Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/07/2015**

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.69 of 2015, registered at Police Station-Pratappur, Distt.Surajpur (CG), for the offence punishable under Section 25 of the Arms Act.
2. Case of the prosecution, in brief, is that present applicant was found in possession of country-made pistol without any authority of law.
3. Learned counsel for the applicant would submit that in thirteen cases registered against the applicant, he has been acquitted. He has filed affidavit on this behalf.
4. On the other hand, learned counsel for the State would submit that in thirteen cases, as per list, he appears to have been acquitted.

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, the fact the applicant is in custody since 20.3.2015 and in all thirteen cases he has been acquitted, 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

B/-