

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4982 of 2015

- Avinash Sharma @ Dau, S/o. Shri Yuvraj Sharma, aged about 29 years, R/o-Village-Dhamni, P.S.- Rajim, Distt. Gariyaband (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through- District Magistrate, Durg, Distt. Durg (C.G.)

---- Non-applicant

For Applicant: Mr. Akhtar Hussain, Advocate.
For Respondent/State: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

23/09/2015

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 415/2015 registered at Police Station Chawani, Distt. Durg for the offence punishable under Section 25 of the Arms Act.

(2) Case of the prosecution, in brief, is that applicant was found in possession of 30 live cartridge on 27.07.2015 without authority of law and, thereby, committed the aforesaid offence.

(3) Learned counsel for the applicant submits that applicant has falsely been implicated in the crime in question as he is nothing to do with the same. He further submits that the applicant is in jail since 27.07.2015 and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration nature and gravity of the offence; and the role of the present applicant in the offence in question; and the fact that applicant is languishing in jail since 27.07.2015; and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-