

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5309 of 2015**

1. Bharat Parihar (Ahirwar), son of Heeralal Parihar, aged about 22 years.
2. Sonu Parihar, son of Laxman Singh Parihar, aged about 18 years.

Both are resident of Lalpur Near the house of Ex-Parsad Raipur, Civil and Revenue District Raipur, C.G.

---- Applicants

Versus

- State Of Chhattisgarh, Through Police Station New Rajendra Nagar, Raipur, District Raipur (C.G.)

---- Non-applicant

For Applicant: Mr. U.K.S. Chandel, Advocate.

For Non-applicant/State: Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/10/2015**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 132/2015 registered at Police Station New Rajendra Nagar, Raipur, District Raipur for the offences punishable under Sections 25 & 27 of the Arms Act.

(2) Case of the prosecution, in brief, is that applicant No. 1 was found in possession of one country made pistol whereas

applicant No. 2 was found in possession of one live cartridge and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that the applicants have been falsely implicated in the offence in question as it is co-accused, from whom the said pistol and live cartridge have been seized and they are in jail since 16.09.2015 and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicants may be released on bail.

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

(5) Taking into consideration the facts & circumstances of the case; defence of the applicant; further considering his pre-trial detention and the fact that substantial investigation has already been made; 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/applicants -**Bharat Parihar (Ahirwar) & Sonu Parihar** are directed to be released on bail on each of them 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. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-