

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5363 of 2015**

Mahendra Manhar S/o Makru Manhar, aged about 20 years, by caste-Satnami,
R/o Village – Kurda, Police Station – Malkharauda, Civil and Revenue District –
Janjgir-Champa (CG)

---Applicant

Versus

State of Chhattisgarh, Through – Station House Officer, Police Station – Kharsiya,
District- Raigarh (CG)

---Non-applicant

For Applicant	:	Mr.Dharmesh Shrivastava, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Deputy Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**

08/10/2015

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.327/2015, registered at Police Station-Kharsiya, District-Raigarh (C.G.), for the offence punishable under Section 25 of the Arms Act.
2. Case of the prosecution, in brief, is that on 15.7.2015 the applicant was found in possession of country-made pistol without any authority of law.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 15.7.2015 and charge-sheet has already been filed and therefore, he may be enlarged on bail.
4. On the other hand, learned counsel for the State would oppose the bail application and submit that the applicant was trying to alienate the country-made pistol.

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; considering the severity of punishment prescribed under Section 25 of the Arms Act, pre-trial detention of the applicant and the fact that charge-sheet has already been filed, 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/-

(Sanjay K. Agrawal)
JUDGE

B/-