

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1311 OF 2016**

Mukesh Kumar Patel son of late Ramjeetan Patel aged about 30 years caste Kurmi Occupation Agriculturist and Labour R/o Mohanpur P.S. Darima Tahsil Ambikapur District Surguja (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through the Station House Officer Police Station Ambikapur District Surguja (C.G.)

---Non-applicant

For Applicant	:	Mr. Praveen Dhurandhar, Advocate
For Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****15/03/2016**

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. 540/2015, registered at Police Station Ambikapur, District Surguja (C.G.), for the offence punishable under Sections 25 & 27 of the Arms Act.

2. Case of the prosecution, in brief, is that, on 27/09/2015 applicant was found in possession of one pistol and two live cartridges and other arms and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that charge sheet has been filed and applicant is in jail since 27/09/2015, 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 applicant 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