

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7635 of 2015

Sanjay Kumar Jain Aged About 47 Years (Wrongly Mentioned As 41 Years In Trial Court Order) S/o Shri Gulabchand Jain R/o College Road, Jashpur, P.S. Jashpur, Distt. Jashpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Jashpur, Distt. Jashpur, Chhattisgarh.

---- Respondent

For applicant - Dr. N.K. Shukla, Sr. Advocate with Shri Vimlesh Bajpai, Advocate.

For Respondent/State – Shri Satish Gupta, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 283/2015 registered in Police Station Jashpur District Jashpur (C.G.) for offence punishable under section 4, 5 of Explosive Substances Act.
2. As per the prosecution case a raid was conducted on 13/10/2015 in crusher plant of the applicant on a secret information received and therein 38 detonators, 1 ½ kg gun powder and 36 metres of explosive wire was recovered. It is case of prosecution that applicant is owner of the crusher plant and the accused are two persons applicant and his manager.
3. Learned counsel for the applicant submits that recovery has not been made from this applicant and it has been recovered from manager Nemas Tirkey in store room and it was not to the knowledge of the applicant. He submits that charge sheet in this case has been filed and according to the ballistic report it has been reported that all the explosive which were seized were ineffective, therefore, the applicant may be

released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the case diary and charge sheet wherein ballistic report shows that detonators and the explosive which were seized were ineffective. Considering the facts and circumstances of the case, nature of allegation and seizure was made from the crusher plant, taking into account charge sheet is filed, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE