

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2438 of 2016

Amzad Khan @ Raja, aged about 25 years, S/o. Abdulla Khan, R/o. Yadunandan Nagar, Tifra, P.S. Sirgitti, Tah. & Dist.-Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police of Police Station – Bilaspur, District- Bilaspur (C.G.)

---- Respondent

For Applicant : Mr. H.V. Sharma, Advocate

For Respondent/State : Mr. Arun Sao, Dy. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/05/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.92/2016 registered at Police Station- Civil Line, District – Bilaspur (C.G.) for the offence punishable under Section 25, 27 of Arms Act.
2. As per case of the prosecution, the applicant was allegedly found in possession of one country made revolver alongwith one live cartridge on 05.02.2016.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 05.02.2016, therefore, he may be enlarged on bail.
4. Learned State counsel would oppose the prayer for grant of bail.

5. The concerned SHO has not reported any previous antecedents of the applicant.
6. The offence is triable by Judicial Magistrate First Class. Charge-sheet has already been filed and the applicant is in jail since 05.02.2016. Considering the entire facts situation of this case, this Court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. The applicant shall appear before the concerned police station at 11.00 AM on first Sunday of every month during the pendency of trial.
9. Certified copy as per rules.

Sd/-
(Prashant Kumar Mishra)
Vacation Judge