

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5111 of 2016

- Hemant Agrawal S/O Shri Jeewan Lal Agrawal Aged About 34 Years Occupation Business, R/O Vardhman Nagar Mahasamund, Thana & Tahsil Mahasamund, Civil & Revenue District Mahasamund, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Mahasamund, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate

For Respondent/State : Mr. Anupam Dubey, , Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

31-08-2016

1. This is second 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 on 19-6-2016 in connection with Crime No. 290 of 2016, registered at Police Station Mahasamud, District Mahasamund (CG) for the offence punishable under Sections 25 of the Arms. Earlier first bail application was dismissed as withdrawn on 28-7-2016 with liberty to revive the same after charge-sheet is filed.
2. Case of the prosecution, in brief, is that on 18-6-2016 on being raid conducted by Police party, the applicant along with other co-accused was intercepted and from the possession of the applicant one country-made pistol and four cartridges from the possession of other co-accused were recovered which were without any valid licence and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated, charge-sheet has been filed in this case, he is in jail since 19-6-2016 and no further investigation is required, therefore, he may be released on bail.
4. *Per contra*, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, and considering the fact that charge-sheet has been filed and the applicant is in jail since 19-6-2016, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju