

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5522 of 2016

Mukesh Devangan, S/o. Dasrath Devangan, Aged About 28 Years, R/o. Bagdehipara, Navapara, P.S.- Gobera Navapara, District (Revenue & Civil) – Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station-Gobera Navapara, District – Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Yogesh C. Pandey, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16.09.2016

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.152/2016 registered at Police Station- Gobera Navapara, District Raipur (C.G.) for the offence punishable under Section 25/27 of Arms Act.
2. As per the prosecution case, on 11.07.2016 the applicant was found to have raising the sword in the public and was spreading terror on the people; thereafter, on a raid being conducted, the applicant was arrested along-with the weapon.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the charge sheet has been filed in this case and no further investigation is necessary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that as many as eight cases were registered against the applicant and he has been recommended to be enlisted

as Gunda by the State by order dated 26.02.2016, therefore, considering the same as also the past antecedents, the applicant may not be released on bail.

5. Perused the case diary and the documents. Considering the fact that as many as eight cases were registered against the applicant and by the order dated 26.02.2016 the applicant is directed to be enlisted as Gunda by the State and further considering such past antecedents of the applicant, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge