

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6056 of 2016

- Shrawn Kumar S/o Shri Khedram Dhruv Aged About 38 Years R/o Village Kauhakuda, Thana Tendukona, Tahsil Bagbahra, Civil & Revenue District Mahasamund, Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh through The Station House Officer, Police Station Mahasamund, District Mahasamund, Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Sumit Shrivastava, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.10.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 290 of 2016 registered at P.S. Mahasamund, Distt. Mahasamund (C.G) for the offence punishable under Section 25 of the Arms Act of the C.G. Excise Act.
2. As per the prosecution case, on information being received by the police on 18.06.2016 that the applicant and others have kept arms, a raid was conducted and from the present applicant 4 cartridges were recovered and from the co-accused one pistol was recovered thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and earlier the bail application was dismissed on 26.07.2016 as withdrawn

whereby liberty was given to the applicant to repeat the prayer after filing of the charge sheet. He submits that presently since the charge sheet has been filed, no further investigation is necessary therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the degree of allegations levelled against the applicant as also the fact that the charge sheet has been filed; the applicant is stated to be in jail since 14.06.2016 and further taking into totality of the facts and circumstances, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**