

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 94 of 2017

1. Sandeep Patel S/o Suresh Prasad Patel Aged About 21 Years Occupation- Driver, R/o Village- Lalpur, Police Station Amarpatan, District- Satna, Madhya Pradesh.
2. Ramkumar @ Dhanendra Patel S/o Dharamdas Patel Aged About 26 Years Occupation- Agriculture, R/o Village- Bhishampur, Police Station- Amarpatan, District Satna, Madhya Pradesh.

---- Petitioner

Versus

- State of Chhattisgarh Through Station House Officer, Sariya, District Raigarh, Chhattisgarh.

---- Respondent

For Applicants : Mr. Chandresh Shrivastava, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23-01-2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 10-10-2015 in connection with Crime No. 129 of 2015 registered at Police Station Safiya, District Raigarh (CG) for the offence punishable under Section 25 of the Arms Act.
2. As per prosecution case, on 10-10-2015 on information being received that the applicants were traveling with cannabis on Pick-Up vehicle bearing registration No. MP/10-GA/2824, the said vehicle was intercepted and from applicant No.1, one pistol and two rounds of bullets and from applicant No.2, one bullet were recovered and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in his case and for keeping

cannabis, a separate trial commenced wherein the applicants were acquitted. He would further submit that the charge-sheet has been filed, applicants are in jail since 10-10-2015 and no further investigation is required, therefore, they may be released on bail.

4. On the other hand, 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 all the facts and circumstances of the case, nature of allegations leveled against the applicants and further considering the fact that the charge-sheet has been filed, the applicants are in jail since 10-10-2015 and no further investigation is required, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them 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 their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju