

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 84 of 2017

Pappu @ Rakesh Soni, S/o. Gorakh Prasad Soni, Aged About 38 Years,
R/o. Gangapur, New Bus Stand Ambikapur, Police Station & Tahsil
Ambikapur, District Surguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Ambikapur, District Surguja, Chhattisgarh.

---- Respondent

For Applicant : Mr. Nishi Kant Sinha, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.815/2016 registered at Police Station- Ambikapur, District Sarguja (C.G.) for the offence punishable under Section 25 of Arms Act.
2. As per the prosecution case, on 24.11.2016 the applicant while was roaming around to sell the country made pistol, he was apprehended.
3. Learned counsel for the applicant would submit that the applicant was working under the contractor and when he was coming from the site, he was stopped by the police officer and there some altercation took place and the applicant has been falsely implicated. He further submits that the charge sheet has been filed 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.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of evidence available and the fact that the charge sheet has been filed and the applicant is in jail since 24.11.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge