

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 368 of 2017

- Rajesh Manikpuri S/o Premdas Manikpuri, Aged About 22 Years
R/o Village- Achanakpur, Police Station Utai, District- Durg
Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh Through- Police Station- Bhilai Nagar,
District- Durg Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Vipin Tiwari, Advocate

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13-02-2017

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 on 9-11-2016 in connection with Crime No. 645 of 2016, registered at Police Station Bhilai Nagar, District Durg (CG) for the offence punishable under Section 25 of the Arms Act.
2. Case of the prosecution, in brief, is that on information received that the applicant along with other co-accused persons were moving in the car bearing registration No. CG-07-BC-8767 along with arms, the said car was intercepted and from the applicant two cartridges were recovered and from other co-accused persons one country made pistol and two cartridges were recovered and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and only two

cartridges were recovered. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 9-11-2016 and no further investigation is required, therefore, he 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, perused the case diary and other documents.
6. Taking into consideration the facts and circumstances of the case and further considering the recovery of two cartridges and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 9-11-2016, this court is 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. He shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju