

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 395 of 2017

- Dhirendra Singh S/o Shri Dhaneshwar Singh, Aged About 30 Years
Caste Gond, R/o Village Tohiladih, Police Station & Tahsil Sakti, Civil
& Revenue District Janjgir Champa Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through the Station House Officer, Police
Station - Sakti, Civil & Revenue Distt. Janjgir - Champa Chhattisgarh
---- **Respondent**

For the applicant	:	Mr. Paras Mani Shriwas, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.02.2017

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. 376/2016 registered at P.S. Sakti Distt. Janjgir Champa (C.G) for the offence punishable under Sections 25 of the Arms Act.
2. As per the prosecution case, on 26.11.2016 on a raid being conducted, from the possession of the complainant one cartridge was recovered whereas one Pistol was recovered from other accused Arif Khan.
3. Learned counsel for the applicant would submit that the main allegation is on other accused Arif Khan as Pistol was seized from him and only one used cartridge has been recovered from the present applicant. He further submits that the charge sheet has been filed and the applicant is in jail since 26.11.2016, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.

5. Perused the case diary. Considering the nature of allegation levelled against the applicant i.e., only one used cartridge has been recovered by him and facts and circumstances of the case particularly the fact that the charge sheet has been filed and the applicant is in jail since 26.11.2016, 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**