

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1844 of 2017

Mahendra Kumar Sahu, S/o. Teekam Ram Sahu, Aged About 21 Years, R/o. Village -Pahanda, Police Station - Magar Road, Tahsil - Kurud, District -Dhamtari, Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : Police Station- Civil Line, District- Raipur, Chhattisgarh.

---- Respondent

AND

M.CR.C. No. 2881 of 2017

Devendra Patre, S/o. Devprasad Patre, Aged About 24 Years, R/o. Village Mohtara, Police Station -Masturi, District -Bilaspur Chhattisgarh. Present Address M.L.A. Colony T. D. S. Staff House, Raipur Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : Its Police Station- Civil Line, Raipur Civil & Revenue District -Raipur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sanjay Agrawal & Mr. B.L. Sahu, Advocate
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For Respondent/State	:	Mr. Ramakant Pandey, Dy. A.G.
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12/06/2017

1. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.683/2016,

registered at Police Station – Civil Line, Raipur, District – Raipur (C.G.) for the offence punishable under Section 25 & 27 of Arms Act.

2. Case of the prosecution, in brief, is that on 30.10.2016 on information received that the applicants are trying to commit theft the vehicles, which are parked near Collectorate office, when the police tried to raid, the applicant – Mahendra Kumar Sahu took out the country made revolver and threatened not to catch him. Likewise, the applicant – Devendra Patre also threatened, who was holding knife. Thereby the offence has been committed.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case and they are in jail since 30.10.2016. It is further submitted that charge-sheet in this case has been filed and no further investigation is necessary, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case and further considering the fact that charge-sheet in this case has been filed and the applicants are in jail since 30.10.2016 and no further investigation is necessary, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each 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)
Vacation Judge

Balram