

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5584 of 2017

Mukesh Shrivastava @ Pappu, S/o. Shankarshan Lal Shrivastava, Aged About 37 Years, R/o. Village Harrapara, Police Station & Tahsil Bhaiyathan, District Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through: Station House Officer, Police Station Baiyathan, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Rahul Mishra, Advocate

For Respondent : Mr. S.R.J.Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.11.2017

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.126/2017 registered at Police Station- Jhilmili, District Surajpur (C.G.) for the offence punishable under Section 25 of Arms Act.
2. As per the prosecution case, on 04.02.2017 from the possession of the applicant, one country made six round pistol was recovered which was without any license.
3. Learned counsel for the applicant would submit that the charge sheet in this case has been filed, no further investigation is necessary and the applicant is in jail since 04.2.2017, therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Considering the facts & circumstances of this case and the fact that charge sheet has been filed and the offence is triable by JMFC, 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