

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8518 of 2016

1. Shivshankar Manjhi S/o Pitamber Manjhi Aged About 40 Years R/o Village Ratansara, Police Thana Himgir, Civil & Revenue District Sundergarh, Odisha.
2. Harshdev Pandey S/o Trilochan Pandey Aged About 40 Years R/o Village Chakra Police Thana Himgir, Civil & Revenue District Sundergarh, Odisha, (Wrongly Mention Village Chatra Police Station Hitnagar In Order Impugned). **--- Applicants**

Versus

- State of Chhattisgarh through Police Station Chakradhar Nagar, Civil & Revenue District Raigarh, Chhattisgarh. **--- Respondent**

For the applicants	:	Mr. Rajesh Ranjan Sinha, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.01.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 321/2016 registered at Police Station Chakradhar Nagar, Distt. Raigarh (C.G) for the offence punishable under Section 25 of the Arms Act.
2. As per the prosecution case, on 30.09.2016 on a raid being conducted while the applicants were coming on a motorcycle, from the possession of present applicants two revolvers were seized and from other accused two cartridges were seized.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated. He further submits that the charge sheet has been filed; no further investigation

is necessary and the applicants are in jail since 30.09.2016, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the nature of seizure and degree of allegations levelled against the applicants and further taking into the facts situation of the case especially the fact that the charge sheet has been filed and the applicants are in jail since 30.09.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**