

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 730 of 2018

- Raju Sahu @ Nain S/o Late Shyamlal Sahu Aged About 35 Years R/o Beghapara, Ward No. 32, Lakholi, District Rajnandgaon, P.S. City Kotwali, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Respondent

For Applicant	:	Mr. B.P. Singh, Advocate.
For Respondent/State	:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

19/02/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.1113/2017, registered at Police Station- Supela, District – Durg(C.G.) for the offence punishable under Sections 25, 27 Arms Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 02.12.2017. No case is made out against the applicant on the basis of material present in the charge-sheet filed before the Court below. Applicant is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on

regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is statement that applicant was threatening the people by displaying a revolver. One revolver and four live cartridges were recovered from the possession of this applicant. Apart from this, there is allegation that the applicant and co-accused person were threatening the public by using the same revolver. Hence, they are not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. On the date of incident i.e. 2.12.2017, applicant and one of his associates by displaying a revolver were giving threats to public at large when they were apprehended by police personnel of Crime Branch, Supela on the spot. Said revolver and live cartridges have been seized from this applicant.
6. Considered.
7. Taking into consideration this fact that there is no criminal history of this applicant and further considering that the disposal of trial is likely to take some time, I am of this view that this is a fit case where applicant should be released on regular bail.
8. Accordingly, the first bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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/-
(Rajendra Chandra Singh Samant)
Judge

