

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1136 of 2018**

1. Dhanaru Shori S/o Gagaru Shori, aged about 40 years, R/o Village Aihara P.S. Mardapal, District Kondagaon (C.G.)
2. Mangatu S/o Sonaru, aged about 28 years, R/o Village Mandora P.S. Chhotedongar, District Narayanpur (C.G.)

----Applicants**Versus**

The State of Chhattisgarh, through the Police Station Mardapal, District Kondagaon, (C.G.)

-- Non-applicant

For Applicants	:	Mr. Pravin K. Tulsyan, Advocate.
For Respondent/State	:	Mr. Anand Dadariya, Dy. G. A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****16/04/18**

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 applicants who have been arrested in connection with Crime No.17/2017, registered at Police Station- Mardapal, District Kondagaon, (C.G.) for the offence punishable under Sections 3 and 4 of The Explosive Substances Act, 1908.
2. Case of the prosecution, in brief, is that on 13.09.2017, one hand grenade and one tiffin bomb was unauthorizedly found in possession of applicants No. 1 and 2 respectively and thereby committed the aforesaid offence.
3. Learned counsel for the applicants would submit that the applicants

have not committed any offence and they have falsely been implicated in crime in question. He would also submit that the applicants are in jail since 13.09.2017 and charge-sheet has already been filed, and no useful purpose will be served by detaining them in jail, therefore, they may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; and the fact that no explanation was offered by the applicants as to how they came in possession of those explosive substances, I do not find the present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. deserves to be and is hereby rejected. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge