

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1279 of 2018

- Nageshwar Sahu @ Daau S/o Babulal Sahu Aged About 30 Years
R/o.- Contractor Colony, Ward No.12, Street No. 21, House No. 183,
Supela, P.S. Supela, District- Durg, Chhattisgarh, District : Durg,
Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. Shikhar Bakhtiyar, Advocate.
For Respondent/State	:	Mr. Vivek Singhal, Panel Lawyer.

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

28/03/2018

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 applicants submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 02.12.2017. After completion of investigation, charge-sheet has not been filed. The case is likely to take some time before its conclusion. Applicant is local resident of District-Durg. 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.

4. Heard both the parties and perused the case diary.
5. On the date of incident, one country made revolver along with two live cartridges were seized from the possession of this applicant on the basis of which said offence was registered against him. Presently the case is before the trial Court.
6. Considering on the material present in the case diary and also that there is no criminal antecedents against the applicant, I am of this view that this is a fit case where applicant should be released on regular bail.
7. Accordingly, the 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