

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1278 of 2018**

Mangal Bajpai, S/o. Rajesh Kumar Bajpai, Aged About 30 Years, R/o.-
Kududand, Infront Of Gayatri Mandir, P.S. Civil Line, District- Bilaspur (C.G.).

---- Applicant**Versus**

State Of Chattisgarh, Through- Station House Officer, Police Station Civil
Line, District- Bilaspur (C.G.).

---- Respondent

For Applicant	: Mr. Vinod Tekam, Advocate
For State/respondent	: Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****17/04/2018**

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.89/2018, registered at Police Station – Civil Line, District – Bilaspur (C.G.), for the offence punishable under Section 25 of Arms Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 25.01.2018. No case is made out against him. Charge-sheet has been filed after completion of investigation. The applicant is ready to abide by all the conditions imposed for grant of bail. Therefore, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that previously this applicant has been prosecuted four times for prosecution under different provisions of Indian Penal Code, hence, he is not entitled for grant of bail.
4. In reply, counsel for the applicant submits that applicant has been acquitted from the charges in all the previous case, against him. Hence, the applicant may be enlarged on bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, on the date of incident, this applicant was brandishing *Farsha* in public place terrorizing public present there. Police patrol caught hold of the applicant and seized the articles *Farsha* from his possession.
7. Considered on the submissions made and the contents of the case diary. Considering the entire material present in the case diary and further taking into consideration the facts and circumstances of the case and the fact that the presently the case is before the trial Court and the trial of the case is likely to take sometime for its conclusion, hence for this reason this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.

Certified copy as per rules..

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram