

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2868 of 2018**

Jaiprakash Sahu, S/o. Late Shri Parsuram Sahu, Aged About 28 Years, R/o.-
Geedam, Post And Police Station- Geedam, District- Dantewada,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- District Magistrate Bijapur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. P.R. Patankar, Advocate
For State/respondent	: Mr. Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**18/06/2018**

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.17/2018, registered at Police Station – Bhairamgarh, District – Bijapur (C.G.), for the offence punishable under Section 8 (1), 8 (3) and 8 (5) of the Chhattisgarh Special Public Security 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 05.04.2018. No case is made out against him on the basis of the material present in the case diary. Hence, 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.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, 3 numbers of belt, which is purportedly used by the nuxalite groups and 8 numbers of bills of naxalism have been seized from the possession of this applicant. Hence this case.
6. Considered on the submissions made and the contents of the case diary. Considering the entire material present in the case diary and further looking to the fact that there is no criminal antecedents of this applicant, applicant is a local resident of District Dantewada, trial against him is likely to take some time, hence for this reasons, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. 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