

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3854 of 2018**

- Sonu @ Surajpal Bhagwat, Aged About 20 Years R/o Village Pariyapara, Lalkhadan, Gram Panchayat Mahmand, P. S. Torwa, Tahsil And District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant.**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Torwa, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For the applicant : Mr. C.K. Kesharwani, Advocate
 For the respondent/State : Shri Rajendra Tripathi, P.L.

Hon'ble Shri Justice Ram Prasanna Sharma**Order on Board****29-6-2018.**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 6-3-2018 in connection with Crime No. 87 of 2018 registered at Police Station Torwa, District Bilaspur (CG), for the offence punishable under Section 25 of the Arms Act, 1959.
2. Case of the prosecution is that the present applicant along with other co-accused was roving by holding country made pistol with live cartridges and threatening people by showing the same and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the instant case, he has not committed any offence and he is in jail since 6-3-2018. He further submits that the case of the present applicant is similar to the case of other co-accused who has been granted bail vide order dated 26-6-2018 passed by this Court in M.Cr.C.No. 3810 of 2018, therefore, present applicant may also be released on bail on the ground of parity.

4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the fact that the offence is triable by Magistrate, trial will take some time, pre-trial detention of the applicant and also taking note of the fact that the other co-accused has already been released on bail, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules

Sd/-

(Ram Prasanna Sharma)

JUDGE

Raju