

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4281 of 2018**

Vijaydas Mahant, S/o. Mandas Mahant, Aged About 25 Years, Caste- Mahant,
R/o.- Village- Bodsara, Police Station and Tahsil- Jaijaipur, District- Janjgir-
Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through- Station House Officer, Police Station-
Baradwar, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C.P. Lahrey, Advocate
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****23/07/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.110/2018, registered at Police Station- Baradwar, District – Janjgir – Champa (C.G.) for the offence punishable under Section 25 of the Arms Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 24.04.2018. No case is made out against the applicant on the basis of the material present on record to involve the applicant in the crime in question. The applicant has no previous criminal antecedents. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. As per the prosecution case, a country made fire arm Desi Katta was recovered and seized from the possession of this applicant by the police personnel of Police Station – Baradwar. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering on all the material present in the case diary against this applicant, charge-sheet has been filed in this case and the case is triable by Judicial Magistrate First Class, 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 Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge