

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4760 of 2018**

1. Khirsagar, S/o. Ganga Prasad, Aged About 36 Years,
 2. Bedram, S/o. Gopichand Sahu,
- Both R/o- Gram- Gudeli, P.S. and Tahsil- Saranggardh, District- Raigarh, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through- Thana Saranggarh, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Mateen Siddiqui, Advocate
For Respondent	:	Mr. Neeraj Mehta, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****02/08/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.299/2018, registered at Police Station- Saranggarh, District – Raigarh (C.G.) for the offence punishable under Section 3, 4 & 5 of Explosive Substance Act, 1908, Section 4 Ammonium Nitrate Act, 2012, Section 9 (1) (b) of Explosive Act, 1884 and Section 420, 120(b) read with Section 34 of the Indian Penal Code.
2. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. Applicants are in jail since 20.05.2018. No case is made out against him according to the material present in the charge-sheet. Hence, it is prayed that the applicants 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 on the date of incident, the police personnel of police station – Sarangarh caught these applicants and one Prakash Agrawal on the spot, where, the explosive substance was being unloaded from one truck. On enquiry, no papers of authorization were found in the possession of these applicants and the co-accused persons. Hence, the explosive were seized and the case were registered against the applicants.
6. Considered the submissions made and the contents of the case diary. After considering on all the entire material present on record, this Court is of the opinion that present is a fit case, in which, the applicants 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 their furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge