

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5736 of 2018

Chhatrapati, S/o Sankhlal, Aged About 30 Years, Caste Koier, R/o Village Sonhat, Police Station Raghunathnagar, Tahsil Wadrafnagar, District Balrampur, Ramanujganj, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through Police Station Raghunathnagar, District Balrampur Ramanujganj, Chhattisgarh

---- Respondent

For Applicant	: Shri Rahul Mishra, Advocate.
For Respondent/State	: Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/09/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No. 54/2018, registered at Police Station Ragthunathnagar, District – Balrampur – Ramanujganj (C.G.) for the offence punishable under Section 25 of the Arms Act.
2. As per the prosecution story, on 16.07.2018, police party has been seized one country made pistol with magazine from the possession of the applicant and on interrogation regarding the license of alleged pistol the applicant was unable to produce license before them. The offence has been registered and present applicant has been arrested on 16.07.2018.
3. Shri Rahul Mishra, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case. He further submits that there is no criminal antecedent of the applicant. He further submits that charge

sheet has not been filed yet and applicant is in custody since 16.07.2018 and trial will likely to take some more time, therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary.
6. Considering the facts and circumstances of the case, further considering the detention period of the applicant and the fact that the applicant is in custody since 16.07.2018, charge sheet has not been filed yet, therefore, trial is likely to take some more time, without further commenting on merit of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge