

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6226 of 2018

Lilanath Porte, S/o Shri Santosh Porte, Aged About 26 Years, R/o- Village Umariya (Hardi), Police Station Takhatpur, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through- Police Station Takhatpur, District- Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Shri Anumesh Shrivastava, Advocate.
For Respondent/State	: Shri Umakant Singh Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

26/09/2018

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. 315/2018, registered at Police Station Takhatpur, District – Bilaspur (C.G.) for the offence punishable under Section 25 and 27 of the Arms Act.
2. As per the prosecution story, on 05.08.2018 at about 03.00 p.m., on the basis of information received from the informant police party went to the Village Umariya where they have searched the applicant and his motor cycle bearing registration No. CG 10 AB 8027. On being checked by the police officials one Deshi Katta and one live cartridge covered in black polythene was found in the tool box of the motor cycle, which was seized from the possession of the accused/applicant. On interrogation regarding the license or paper authorizing him to keep possession of the said article he was unable to produce the same, offence has been registered against the applicant and he is in custody since on 05.08.2018.

3. Shri Anumesh Shrivastava, 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 05.08.2018 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 05.08.2018, 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