

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6366 of 2018

- Firoz Khan S/o Munna Khan, Aged About 19 Years, R/o Chingrajpara, Sarkanda District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

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

----Non-applicant

For Applicant – Shri G.V.K.Rao, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-10-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 26-12-2017 in connection with Crime No.515/17 registered at P.S. - Masturi, District Bilaspur, Chhattisgarh for the offence under Section 147, 148, 120-B, 395/149, 397/149, 307/149 (twice) and Section 25(1)(A) & 27 of Arms Act.
2. It is submitted on behalf of the applicant that the applicant is in jail since 26-12-2017. No case is made out against him. He has been arrayed as one of the accused in this case only on the basis of memorandum statement given by the co-accused person. Hence, this case.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. The case against the applicant and the co-accused persons is this, that, on 03-12-2017 at about 7.45 p.m. the country liquor shop Gatora was looted by 9 persons and the persons were armed with deadly weapons. Hence, this

case. The allegation against this applicant according to the memorandum statement of one of the co-accused person is this, that he had helped the main accused person in transporting and providing them mobile, whereas, no recovery has been made from this applicant.

6. After due consideration on all the evidence that is present on record against this applicant, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge