

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7005 of 2018

- Pankaj Rai S/o Shivismurat Rai Aged About 35 Years R/o Sakti, Ward No.- 16, Kharsia, Tehsil And Police Station- Kharsia, District- Raigarh, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	: Shri K.K.Pandey, Advocate
For Respondent	: Shri Aditya Sharma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/10/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.359/2018 registered at police station Dabhara district Janjgir-Champa (CG) for the offence punishable under Sections 399 and 402 IPC and Sections 25 and 27 of the Arms Act.

As per prosecution case, information has been received at [p; police station Dabhara to the effect that near village Sapiya, 4-5 persons have assembled armed with pistol and they were planning to commit dacoitee. On the basis of this information, police party reached the spot and arrested the applicant and other co-accused persons.

Counsel for the applicant submits that the applicant has been

falsely implicated on the basis of suspicion. He further submits that the applicant is in jail since 29.08.2018 and the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 20,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge