

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7830 of 2018

- Ashwani Verma S/o Hem Lal Verma Aged About 32 Years R/o Village Marutola, Police Station And Tahsil Khairagarh, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Throuhg The Station House Officer, Police Station Khairagarh District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Mr. C.K. Kesharwani, Advocate.
For Respondent/State	:	Mr. Anil S. Pandey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/11/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.140/2018 registered at Police Station– Khairagarh, District– Rajnandgaon (C.G.) for the offence punishable under Section 8 (3 & 5) of the Chhattisgarh Jan Suraksha Adhiniyam and Sections 13, 21, 38, 39 of the Unlawful Activities (Prevention) Act, 1967.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against this applicant according to the material present in the charge-

sheet filed against him. There is no legally admissible evidence against him. Similarly placed co-accused persons have been granted bail by this Court. Hence, it is prayed that this applicant may also be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is ample evidence present against the applicant in the investigation made in this case. The applicant himself has made memorandum statement that he is engaged in assisting the naxalite group by supplying various material and that he has helped them by converting the old currency notes at the time of demonetization. Further, witnesses have also stated that the seizure was made from the applicant and he made statement before them that the material found in his possession were intended to be supplied to the naxalites. Hence, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. It is alleged that seizure of red cloth, paint and grocery items were made from the possession of this applicant by the police personnel of PS-Khairagarh in presence of the witnesses. Statements of the witnesses show that the applicant was interrogated by the police in which he has given statement.
6. Considering on the entire material present in the case diary, I am of this view that applicant should be released on regular bail during the pendency of the trial Court against him.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in

the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha