

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7465 of 2017

- Raj Singh Thakur S/o Shri Sher Singh Thakur, Aged About 25 Years
R/o Mangal Market Idgah Bhatha Gali No. 1, P/s Azad Chowk District
Raipur, Civil And Revenue District Raipur, Chhattisgarh., Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Azad Chowk Raipur,
Chhattisgarh., Chhattisgarh

---- Respondent

For Applicant	:	Mr. Ajay Mishra, Advocate.
For Respondent/State	:	Mr. Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/02/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 223/2017, registered at Police Station- Azad Chowk, District – Raipur(C.G.) for the offence punishable under Sections 25 of the Arms Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 7.11.2017. No case is made out against him. Investigation has completed, hence, it is prayed that applicant be enlarged on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that applicant is habitual offender

having 13 cases against him under the provisions of Cr.P.C. and 6 cases of various offences under IPC and C.G. Excise Act. Hence, he is a habitual offender and is not entitled for grant of bail.

4. Heard both the parties and perused the case diary.
5. On the date of incident, on a search made by police personnel PS-Azad Chowk, Raipur, a knife was recovered from this applicant which was in his illegal possession without any license to keep the same. Hence, this case.
6. Considered.
7. Applicant is in jail since 22.10.2017. As regard the previous cases against him it is submitted by counsel for applicant that applicant is on bail in rest of the cases against him. Taking into consideration this fact, I am of this view that applicant should be benefited with the grant of regular bail.
8. 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 Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge