

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1271 of 2019**

- K.B.Shriniwas S/o Fulaiya K. B. Aged About 39 Years R/o Village Gandhi Chawk Aawapalli, Police Station Aawapalli, Revenue District Bijapur Civil District Dantewada Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Aawapalli, Revenue District Bijapur Civil District Dantewada Chhattisgarh

---- Non Applicant

For the Applicants	:	Shri Paras Mani Shriwas, Advocate
For the State	:	Shri Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****29/03/2019**

1. This is the first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.04/2019 registered at Police Station- Aawapalli, District- Beejapur (C.G.) for the offence punishable under Section 4 & 5 of Explosive Substances Act 1908.
3. Case of the prosecution, in brief is that on 04.02.2019 at about 20/20:04 hours near the gas godam Aawapalli Inspector Sudarshan Singh Dhurv posted at Police Station Aawapalli seized DURACELL 10 TIMES LONGER LASTING POWER 288 Pieces, 13 pieces detonator fuse wire along with fuse wire from the possession of applicant.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. Looking to the facts and circumstances of the case, looking to the material available on record, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
7. Certified copy as per rules.

Sd/-**(Sharad Kumar Gupta)**
Judge

Parul