

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 3281 of 2019**

Guddu @ Shankar Gupta S/o late Satyanarayan Shah, aged about 34 years, R/o Kudar P.S. Dhaurpur, Distt. Surguja, Chhattisgarh.

---- Applicant (in jail)

**Versus**

State of Chhattisgarh, through Station House Officer, outpost- Bariyo Police Station- Rajpur, Distt. Balrampur, Ramanujganj, Chhattisgarh.

----Non-applicant

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| For Applicant           | : | Mr. Sanjay Pathak, Advocate. |
| For Non-applicant/State | : | Mr. Arun Kumar Shukla, G.A.  |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board**

**20/05/2019**

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 9/2019 registered at Police Station Outpost- Bariyo, Rajpur, Distt. Balrampur – Ramanujganj (C.G.) for the offence punishable under Section 4(B) of Explosive Substance Act, 1908 and Section 14 of Child Labour Act and Section 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that explosive substances have been found in possession of the applicant and one co-accused Ajay Yadav thereby leading them to commit the aforesaid offence.
3. Learned counsel for the applicant submits that the applicant was only working as a munshi in the shop of one Sanjay Singh from where the co-accused Ajay Yadav acquired the explosive substances. The applicant was

not in possession of the explosive substances. He further submits that applicant is in jail since 31/03/2019 and the charge-sheet has been filed, therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the applicant is not entitled to be released on bail.
5. Taking into consideration the nature and gravity of the offence and looking to the fact that the applicant has been claimed to be only an employee in the shop of one Sanjay Singh; recovery of the explosive substances has been made from co-accused Ajay Yadav; applicant is in detention since 31/03/2019; charge-sheet has already been filed; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.
6. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-

(Sanjay K. Agrawal)  
Vacation Judge