

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3883 of 2019

- Bhuneshwar Sahu, S/o Hari Ram Sahu, Aged About 38 Years, R/o Village Sukhapali, P.S. Sariya, Tahsil Baramkela, District-Raigarh, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The District-Magistrate Raigarh, District-Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Raghvendra Pradhan, Advocate.

For Respondent/State : Mr. Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

24/07/2019

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.43/2019 registered at Police Station–Sariya, District–Raigarh(C.G.) for the offence punishable under Sections 5 of Explosive Substance Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 26.3.2019. No case is made out against this applicant. The applicant intends to contest the case and prove his innocence, therefore, it is prayed that he may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that huge quantity of explosive has been seized from the possession of this applicant which were kept in possession with criminal intent, therefore, application be rejected.
4. Heard both the parties and perused the case diary.
5. In total 17 bags of ammonium nitrate, 4 bundles of safety fuse blasting wire and 45 pieces of detonator were found in possession of this applicant which were seized, on that basis charge-sheet has been filed against him.
6. After considering the facts and circumstances of this case and for the reason that the trial against him is likelihood to take some time, I feel inclined to allow the application of this applicant.
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 regular 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