

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4198 of 2019**

- Abhinay Gupta @ Banti Gupta S/o Ganesh Prasad Gupta, aged about 28 years, caste- Rainiyar, R/o Kunkuri (Purani-Basti) Police Station Kunkuri, District- Jashpur (C.G.)

---- Appellant**Versus**

- State of Chhattisgarh, through Station House Officer, Police Station Kunkuri, District Jashpur (C.G.)

---- Respondent_

For Applicant	:	Shri Sanjeev Kumar Sahu, Adv.
For Respondent	:	Shri I. Lakra, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29.07.2019**

1. The accused/applicant has moved this bail application under Section 439 of Criminal Procedure Code 1973 for releasing him on regular bail during trial in connection with Crime No. 63/2019 registered at Police Station Kunkuri, District Jashpur (C.G.) for the offence punishable under Sections 25 & 27 Arms Act.
2. The prosecution story, in brief, is that on 02.04.2019 after receiving a secret information, Police Staff, Kunkuri, has conducted picket (gherabandi) in which accused was arrested with sharp edged weapon, sword, before the witnesses.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. The police has arrested the applicant only on the suspicion

basis. He is in jail since 02.04.2019, therefore, the present appellant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 02.04.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 20,000/- with one local 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 them by the said Court.

Sd/-
(Rajani Dubey)
Judge