

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5468 of 2020**

1. Shailesh Kohali S/o Prabhudayal Kohali, aged about 18 years,
2. Rahul Kumar S/o Kamlesh Kumar aged about 19 years,
3. Sunil Kamal S/o Tejsingh Kamal aged about 18 years,

All the applicants are resident of Vishanugarh, Police Station Vishanugarh, District Kannauj (UP) Present halting Chingraj Para, Police Station Sarkanda, District Bilaspur (CG)

• ---- **Applicants**

• **Versus**

- State Of Chhattisgarh Through it's Police Station City Kotwali, District Bilaspur(CG)

---- **Respondent**

MCRC No. 5966 of 2020

Sujit Shukla S/o Late Shyamnarayan Shukla, aged about 34 years, R/o Yadunandan Nagar, Maharana Pratap Nagar, Bilaspur (CG)

---- **Applicant**

• **Versus**

- State Of Chhattisgarh Through Station House Officer Police Station City Kotwali, District Bilaspur(CG)

---- **Respondent**

For Applicants	:	Shri Ravi Maheshwari, Advocate in MCRC No. 5468/2020
For Applicant	:	Shri Dharmesh Shrivastava, Advocate in MCRC No. 5966/2020
For Respondent	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

29.9.2020

1. The matter is heard through video conferencing.
2. As both the MCRCs arise out of same crime number, they are heard and disposed of by this common order.

3. MCRC No. 5966/2020 has been listed for hearing on admission. The same is admitted for hearing.
4. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.176/2020, registered at Police Station –City Kotwali, District Bilaspur(C.G.) for the offence punishable under Section 25 of the Arms Act.
5. It is the case of the prosecution that the applicants were found in possession of country made pistol without licence or any authority.
6. Learned counsel for the applicants submits that the applicants are innocent and they have been falsely implicated in the case. He submits that the applicants are in jail since 30.7.2020 and trial is likely to take some time for its final disposal, therefore, they may be released on bail.
7. On the other hand, counsel for the State opposes the bail application.
8. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicants, detention period of the applicants and further considering that trial is likely to take some time for its final disposal, without further commenting on merits, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
9. Accordingly, the applications filed under Section 439 Cr.P.C.

are allowed.

10. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.50,000/- with one local surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

11. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge