

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6692 of 2020

Subhas Singh S/o Shri Mahesh Singh, Aged About 40 Years, R/o Chakardhar Nagar, P.S. Chakardhar Nagar, District Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station- Sukma, District Sukma, Chhattisgarh

---- Respondent

For applicant - Shri Prafull N. Bharat and Shri Mayank Chandrakar, Advocates.

For Respondent/State – Smt. Richa Shukla, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/12/2020

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime 51/2020 registered in Police Station Sukma, District Sukma (C.G.) for offence punishable under section 25 of Arms Act, 8(3) of Chhattisgarh Special Public Security Act, 2005 & Section 381 and 120B of Indian Penal Code, 1860.
2. As per the prosecution case, on 4/06/2020 Manoj Sharma and Hari Shankar Gedam were intercepted and they were found with bullets and AK 47 rifle and other arms. During the investigation it was found that the said arms were supplied by Subhas Singh who was armour in the government and the bullets and others arms were supplied to the naxalites at Sukma.
3. Learned counsel for the applicant submits that the offence are triable by JMFC and the applicant Subash Singh who was armour was transferred on 1/05/2020 and he handed over the charge on 5/05/2020, therefore he could not have entered the armoury as without the

intervention of three persons, armoury cannot be opened, therefore the applicant may be released on bail.

4. Learned State counsel opposes the argument and she would refer to the statement and would submit that on the memorandum statement from the applicant arms and ammunition A.K. 47 rifle with 70 live cartridges were recovered which were not allotted to him.

5. Considering the recovery made and the nature of allegation, since arms and ammunition were made to be supplied to the naxalites, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE