

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8082 of 2019**

- Sheikh Shahrukh S/o Sheikh Sattar, Aged About 28 Years R/o Near Pond, Pachpeda, P.S. Vidhan Sabha, Raipur, District Raipur, Chhattisgarh.

----Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Ajad Chowk, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Raj Bahadur Singh, Adv.
For Respondent/State : Ms. Akshara Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/02/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 312/2019 registered at Police Station-Azad Chowk, Raipur, District - Raipur (C.G.) for the offence punishable under Sections 25 of Arms Act and 34 of the IPC.
2. The prosecution story, in brief, is that police of Police Station Azad chowk, Raipur, received a secret information that some persons are in illegal possession of pistol and are standing near Mangalam Bhawan, Agrasen Chowk. Acting on the said tip-off, the police personnel intercepted the accused persons and seized one country made pistol from accused Gurujot Singh and one live cartridge from the present applicant. No valid documents were produced by the applicant regarding possession of pistol and live

cartridge. Based on this, offence has been registered.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the other co-accused has already been granted bail in MCRC No. 7891/2019 so, the present applicant may also be granted benefit of bail. He also submits that the applicant is in jail since 16.10.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant 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, detention period of applicant and further considering the facts that the other co-accused has already been granted bail and the present applicant is in jail since 16.10.2019 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. 50,000/- 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 him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**