

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 135 of 2020

- Jafar Ali S/o Late Mustak Ali, aged about 28 years, R/o Changora Bhata, D.D. Nagar Raipur Tahsil & Distict- Raipur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Durg Chhattisgarh.

---- Respondent

 For Applicant : Shri Badruddin Khan, Advocate
 For Respondent/State : Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey
Order On Board

06.02.2020

1. Today, the case was listed for hearing on the application for grant of ad-interim bail but with the consent of both the parties matter heard finally.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 703/2019, registered at Police Station Chhawani, District- Durg (CG) for the offence punishable under Section 379 of the IPC and Section 25 of Arms Act.
3. The prosecution story in brief is that, on receiving secret information, police personnel searched and seized one numberless motorcycle, one '*Desi Katta*' & 3 pieces of *Kartoos* from the illegal possession of applicant. Based on

that, offence has been registered against the applicant and he has been arrested.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. Applicant is in jail since 11.11.2019 and he is ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicant may be released on bail.
5. Per contra, State counsel strongly opposes the bail application.
6. I have heard learned counsel for the parties.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as 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.
8. 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 said Court on each and every date given to him by the said Court.
9. Certified copy today.

Sd/-
(Rajani Dubey)
JUDGE