

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2013 of 2021

- Ajay Soni @ Chhotu Son Of Shri Ranjit Soni Aged About 22 Years Resident Of Kushalpur, Santoshi Chowk, P.S. Purani Basti Tahsil And District Raipur (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Telibandha, Raipur, District Raipur (Chhattisgarh)

---- Respondent

For Applicant : Shri C.R. Sahu, Advocate

For Respondents/State : Shri Anmol Sharma, PL

Hon'ble Shri Justice Goutam Bhaduri

Order

06/08/2021

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 07.02.2021 in connection with Crime No.57/2021 registered at Police Station Telibandha, Raipur (CG) for the offence punishable under Sections 25, 27 of Arms Act.
3. As per the prosecution case, on 07.02.2021 on an information received that the applicant is threatening the public at large on the point of knife at Telibandha, Raipur, he was apprehended and the knife was seized from him.
4. Learned counsel for the applicant submits that the applicant is in jail since 07.02.2021 and the Court below has wrongly rejected the case of the applicant

for bail on the ground that the other 11 cases are registered against the applicant. He would further submit that the other cases are registered against the brother of the applicant, who resides separately. He refers to the affidavit of the mother and the copy of the ration card and would submit that Ajay @ Ajju they are two brothers having the same name, therefore, the applicant may be released on bail.

5. Learned State counsel on the earlier occasion was directed to seek instructions as to whether two brothers on the same name i.e. Ajay @ Ajju exists or not?
6. Learned State counsel would submit that as per the information dated 29.07.2021 received from the SHO, Telibandha, it reveals that Ajay @ Ajju they are one and he submits that there are 11 cases to the credit of the present applicant out of which 5 cases are of the same nature, therefore, the plea that the some brother exists, is completely false.
7. Learned State counsel is directed to place on record the copy of the information dated 29.07.2021.
8. Having considered the statement of the State counsel that as many as 11 cases are to the credit of the present applicant and out of which 5 cases are of the same nature, I am not inclined to release the applicant on bail.
9. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu