

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings Through Video Conferencing****MCRC No. 5582 of 2021**

- Shubham Singh, S/o Sanvale Singh, aged about 22 Years, R/o Tarbahar, FCI Chowk, Bilaspur, Police Station Tarbahar, District Bilaspur (Chhattisgarh).

----Applicant

Versus

- State of Chhattisgarh, Through Police Station - Civil Line, Bilaspur, District Bilaspur, (Chhattisgarh).

----Non-applicant

MCRC No. 4830 of 2021

- Prateek Bajaj, S/o Omprakash Bajaj, aged about 20 Years, R/o H. No. D-4, Minocha Colony, Mungeli Road, P. S. Civil Line, District Bilaspur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, P. S. Civil Line, District Bilaspur, Chhattisgarh.

----Non-applicant

MCRC No. 5200 of 2021

- Rahul Naik, S/o Swamiyal Naik, aged about 22 Years, R/o Tarbahar, Khudiram Boss Chowk, Bilaspur, Police Station Tarbahar, District Bilaspur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Civil Line, Bilaspur, District Bilaspur, Chhattisgarh.

----Non-applicant

For Applicants	Shri Manoj Paranjpe, Shri K.P.S. Gandhi and Shri Amit Kumar, Advocates for the respective applicants.
For State	Shri K.K. Singh, Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya 

Order on Board

06/08/2021

1. As all these first bail applications filed under Section 439 of Cr.P.C. arise out of the same Crime No.640/2021 registered at Police Station Civil Line, Bilaspur, District Bilaspur, C.G., for the offence punishable under Section 25 of the Arms Act, they are being disposed of by this common order.
2. As per the prosecution case, on the secret information being received by the police on 30.06.2021, the police arrested the applicants from Mangla chowk in front of Bellza saloon with two country made pistols and live cartridges.
3. Learned counsel for the applicants submit that the applicants are innocent persons and have been falsely implicated in the case. They submit that applicants are in custody since 30.06.2021, charge sheet has already been filed and due to COVID-19 pandemic, conclusion of the trial will take some time. Therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail applications.

5. Heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, the nature of allegation against the applicants, detention period of the applicants, who are 20 & 22 years old, charge sheet has been filed, the fact that the applicants have no criminal antecedents and there is no likelihood of the applicants tampering with the evidence or absconding as admitted by counsel for the parties and due to COVID-19 pandemic, conclusion of trial may take some time, without commenting anything on merits of the case, this Court is of the opinion that present is a fit case to release the applicants on bail. Accordingly, the bail applications are allowed. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-
 - (i) they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
 - (ii) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (iii) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
 - (iv) they shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
 - (v) they shall not involve themselves in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned

police station forthwith who shall inform the trial Court in the event of applicants involving themselves in any offence in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh