

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7815 of 2021**

Shankar Rajak S/o Basant Rajak, aged about 22 years, R/o Banspai Para,  
Ward No. 41, Police Station Basantpur, Tehsil & Distt. Rajnandgaon (C.G.)

---- Applicant

**Versus**

State of Chhattisgarh through : Police Station- Basantpur, District Rajnandgaon  
(C.G.).

---- Respondent

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For Applicant : Mr. Pramod Ramteke, Advocate  
For Respondent : Mr. D.C. Verma, Govt. Advocate

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**Hon'ble Shri Justice Deepak Kumar Tiwari**

**Order on Board**

**25/10/2021**

Heard.

1. The applicant has preferred this first Bail Application under Section 439 of Code of Criminal Procedure, 1973 in connection with Crime No. 274/2021 registered at Police Station- Basantpur, District Rajnandgaon (C.G.) for the offence punishable under Sections 25 & 27 of the Arms Act.
2. Case of the prosecution in brief is that the applicant was threatening people near Yadav Chai Dukan, Gandhi chowk by showing *Khukrinuma* knife. The police has seized the said knife and registered the offence against the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. The applicant is aged about 22

years who is permanent residents of Chhattisgarh State, he is in jail since 11/07/2021 and charge-sheet has been filed, therefore, he prays to release the applicant on bail.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the applicant is habitual offender, however, no such judgment of prior conviction has been filed by the State.
5. I have heard counsel for the parties.
6. Considering the facts and circumstances of the case, particularly the fact that the offence is triable by the JMFC, the applicant is in jail since 11/07/2021 and conclusion of trial may take some time, I am of the view that it is fit case to enlarge the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs. 20,000/- with two sureties each of Rs. 10,000/- to the satisfaction of the trial Court for his appearance before the trial Court as and when directed.
9. It is further directed that if the applicant is involved in similar nature of crime, this order shall loose its efficacy .

Sd/-  
(Deepak Kumar Tiwari)  
Judge