

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.8881 of 2021**

Vivek Kumar Sahu, son of late Suresh Kumar Sahu, aged about 23 years, resident of Budhwari Para Ratanpur, Police Station Ratanpur, District Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Seepat, District Bilaspur (CG)

---Non-Applicant

For Applicant	:	Mr.Nitansh Kumar Jaiswal, Advocate
For Non-Applicant/State	:	Mr.Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

17/12/2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.503/2021, registered at Police Station-Seepat, District-Bilaspur (CG), for the offence punishable under Sections 25 and 27 of the Arms act.
2. Case of the prosecution, in brief, is that the applicant was found in possession of sword and thereby committed the aforesaid offences.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 17.10.2021 and charge-sheet has already been filed, as such, the applicant may be enlarged on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, his pre-trial detention from 17.10.2021 and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-