

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2524 of 2016

- Bharat Nag, S/o Makardhwaj Nag, aged about 20 years, R/o Ward No.4, Intabhaththa, Brajraj Nagar, District Jharsuguda (Orissa)

---- Petitioner

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Jute-mill, District Raigarh (CG)

---- Respondent

For Applicant	Mr. Ashish Gupta, Advocate
For Respondent/State	Mr. P.K.Bhaduri, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

02.05.2016

1. Heard.
2. This is the third bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.216/2013, registered at Police Station Jute Mill, Raigarh, District Raigarh for the offence punishable under Section 20-B of the N.D.P.S. Act.
3. On receiving secret information that the applicant along with other co-accused persons are transporting Ganja, Tata Magic bearing registration No.OD 23/0128 was intercepted and 03 Kgs. of Ganja was recovered from their possession.

4. The first bail application of the applicant bearing M.Cr.C. No.2460 of 2013 was earlier allowed on 21.06.2013, however, on account of violation of the terms of the bail order, the trial Court rejected the bail and issued non-bailable warrant against him. In execution of the non-bailable warrant, the applicant was arrested on 17.08.2015 and thereafter, he moved second bail application bearing M.Cr.C. No.5236 of 2015, which was dismissed on 05.10.2015.
5. Considering the fact that prior to the petitioner's release vide order dated 21.06.2013, the petitioner had remained in jail for about 3 ½ months and after his re-arrest on 17.08.2015, he is presently in jail for more than 08 months, the prayer for grant of bail is allowed.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every dates given by the trial Court.
7. It is also directed that the petitioner shall submit the proof of his identity and residence by depositing self attested copy of his Aadhar Card before the trial Court within a period of one month from the date of his release, failing which, the trial Court shall cancel the bail bond and direct his arrest.

8. Certified copy as per rules.

Sd/-

Judge

(Prashant Kumar Mishra)