

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6536 of 2016

Beduram Sahu, S/o. Manharan Sahu, Aged About 45 Years, R/o. Village
Bargadha, Police Station Saja, District Bemetara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through it's Police Station Saja, Civil & Revenue
District Bemetara, Chhattisgarh.

---- Respondent

For Applicant : Mr. B.L.Sahu, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24.10.2016

1. This is the second 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.31 of 2016 registered at Police Station- Saja, District Bemetara (C.G.) for the offence punishable under Section 20-B, 2(B) of NDPS Act. The earlier bail application was dismissed on 14.09.2016 in MCRC No. 4825 of 2016.
2. As per the prosecution case, on a raid being conducted on 03.02.2016 from the possession of the applicant, 1350 grams of Cannabis were recovered.
3. Learned counsel for the applicant would submit that the earlier bail application was dismissed on the ground that the applicant was not able to submit the past antecedents, however, after rejection of the bail application, the applicant would obtain the order of acquittal dated 24.06.2014 in favour of the applicant as per Annexure A-3. Therefore, he submits that considering the fact that the applicant is

in jail since 03.02.2016 and the trial will take some time, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, earlier bail rejection order as also the order of acquittal dated 24.06.2014 which reflects that the applicant has been acquitted of the charges of NDPS Act. Taking into fact of this case and specially considering the quantity of the seized Cannabis which is 1350 grams, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.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/-
(Goutam Bhaduri)
Judge