

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 5274 OF 2017

Prafull Dora S/o Banmali Dora, aged about 50 years, R/o Village Uchchabhal, Police Station Luisinga, District Balangir (Odisha).

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station, Sankra, District Mahasamund (CG).

... Respondent

For Applicant	:	Shri Vikas Pradhan, Advocate.
For Respondent-State	:	Shri Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/10/2017

1. With the consent of the parties, the matter is heard finally.
2. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 02.07.2017 in connection with Crime No.103 of 2017 registered at Police Station, Sankra, District Mahasamund, for the offence punishable under Section 20(b) of the NDPS Act.
3. As per prosecution case, it is alleged that the present applicant along with four other co-accused persons were travelling in TATA Indica Car and when search was conducted, 25 kg cannabis was found in their possessions.
4. Learned counsel for the applicant, at the outset submits that he has collected certain information under Right to Information Act and the

Assistant Jail Superintendent of District Jail, Mahasamund, vide his letter dated 27.07.2017 (Annexure A/2) has given a statement that the applicant after having been arrested suffered with stroke of paralysis and has now become total immobile and he needs assistance for every little act that is required for movement of his body as is reflected from Annexure A/2, and therefore he may be enlarged on bail on medical ground.

5. This contention of the applicant is not disputed by the State counsel on verifying document Annexure A/2.
6. In the given facts and circumstances of the case, without commenting on merits, this Court is of the opinion that present is a fit case where the Applicant can be enlarged on bail purely on medical ground as is reflected from Annexure A/2.
7. Accordingly, the application for grant of bail is allowed. 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 one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.
8. Accordingly, IA No.1 for urgent hearing stands allowed.

Sd/-
(P. Sam Koshy)
Judge