

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 1675 OF 2017

Ajay Sonwani, S/o Biganram Sonwani, aged about 30 years, R/o Manipur,
PS Ambikapur, Distt. Surguja (CG).

... Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station
Ambikapur, Distt. Surguja (CG).

... Respondent

For Applicant	:	Shri Jitendra Shrivastava, Advocate.
For Respondent-State	:	Shri Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/10/2017

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 25.11.2016 in connection with Crime No. 816 of 2016 registered at Police Station Ambikapur, Distt. Surguja, for the offence punishable under Section 21 of the Narcotic Drugs and Psychotropic Substances Act.
2. Learned Counsel for Applicant submits that the Applicant is in jail since 25.11.2016 for about more than 11 months and that the material witness particularly the seizure witness have turned hostile, and therefore he may be enlarged on bail. Copy of deposition of witnesses is also enclosed along with the bail application.
3. Opposing the bail application, learned Counsel for the State submits that the Applicant was found in possession of huge quantity of cough syrup and therefore he may not be enlarged on bail.

4. Without commenting on merits, considering the totality of the facts and circumstances of the case and taking into account the period of custody undergone and the fact that material witness particularly the seizure witness have not supported the case of the prosecution, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
5. 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.

Sd/-
(P. Sam Koshy)
Judge