

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C No.3060 of 2017**

Manohar Nishad @ Derha Nishad S/o Mr. Govind Nishad Aged About 32 Years R/o Ranisagar, Police Station Arang, District Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Arang, Raipur, Chhattisgarh.

---- Non-Applicant

For Applicant:

Shri ML. Sakat, Advocate.

For State/Non-Applicant:

Smt Shobha Kashyap, Dy. Govt. Advocate.

Single Bench: Hon'ble Shri Prashant Kumar Mishra, J
Order On Board

23.5.2017

1. This is the first bail application under Section 439 Cr.P.C for grant of regular bail as the Applicant is arrested in connection with Crime No.354/2016 registered at Police Station – Aarang, District Raipur (CG) for the offence punishable under Section 20(b) of the NDPS Act for illegally possessing 1 kg and 50 gms of ganja.

2. Learned Counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the alleged crime. He submits further that there are no previous criminal antecedents of similar offence and is therefore liable to be enlarged on bail.

3. On the other hand, learned counsel for the State opposed the prayer for bail.

4. Having considered the facts and circumstances of the case, the nature of allegations, the fact that the Applicant is in jail since 19.09.2016 and that

there are no previous criminal antecedents against him, this Court is inclined to release the Applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C is allowed and it is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed. It is made clear that if the Applicant involves himself in the offence of similar nature in future, this order granting bail to the Applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Prashant Kumar Mishra)
Vacation Judge

Priya