

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3662 of 2017

- Beersai Vishwakarma S/o Late Ramdev Vishwakarma Aged About 35 Years R/o Bade Salhi, Police Station, Khadgaonwa, District - Korla, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through : The Staton House, Ramanujnagar, District - Surajpur, Chhattisgarh

---- Respondent

For Applicant : Mr. A.K. Prasad, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Rajendra Chandra Singh Samant

Order On Board

27/11/2017

1. Heard the matter finally.
2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested on 19.03.2017 in connection with Crime No. 52/17, registered at Police Station – Ramanujnaganj, District Surajpur, (C.G.), for the offence punishable under Section 20 (B) of Narcotic Drugs and Psychotropic Substances Act, 1985.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. After investigation charge-sheet has been filed and the applicant is in jail since 19.03.2017, he is local resident, there is no likelihood of absconding of the applicant, he is ready to abide by the

conditions to be imposed on grant of bail, hence, it is prayed that the applicant may be enlarged on bail.

4. Learned State counsel opposes the bail application and the submission made and submits that as per the facts, 2kg Ganja was seized from the possession of the applicant on the date of incident . Therefore, looking to the quantity so seized from the applicant, he is not entitled for grant of bail.
5. Heard counsel for the party and perused the case diary.
6. Considering the submissions the contents of the case diary and looking to the facts that the applicant is local resident of District Korla, C.G., his availability can be ensured by imposing condition, keeping him in detention during the whole period of trial is not serve any purpose, this Court is of the considered opinion that the applicant should be enlarged on bail in the present case.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge