

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4584 of 2017

- Shrawan Yadav S/o Shri Gariba Yadav, Aged About 19 Years, R/o Kailash Nagar, Near Baghel Kirana Shop, Police Station Mohan Nagar Durg, District- Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station : Saliha, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Non-applicant

For Applicant – Shri C.R.Sahu, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-11-2017

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant was arrested on 18-03-2017 in connection with Crime No.14/2017 registered at P.S. Saliha, District Baloda Bazar Bhatapara, C.G. for the offence under Section 20(B) of the Narcotic Drugs & Psychotropic Substances Act, 1985.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 18-03-2017. The case has been investigated and charge sheet has been filed, the trial is proceeding, which is likely to take some time for its completion. Hence, it is prayed that the applicant may be enlarged on bail.

3. Learned counsel for the State/non-applicant opposes the application and submission made in this respect. It is submitted that the applicant had been engaged in transporting narcotic substance, hence, he is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.
5. As per the case diary, 4.980 Kg. ganja was recovered and seized from the applicant, on the basis of which he has been prosecuted.
6. Considering the period of detention of the applicant and likelihood of delay in conclusion of the trial, also considering this fact that the applicant is resident of District Durg, C.G. whose availability for trial can be ensured, this Court is of the view that on these grounds the application filed by the applicant deserves to be allowed.
7. Consequently, the application (MCRC No.4584/2017) filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. 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, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge