

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C No. 5323 of 2017

- Diwas Jharia S/o Gasiya Jharia, Aged About 29 Years R/o Ward No. 5, Dewanganpara, Kawardha, Re. & Civil District Kabirdham Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through Excise Sub Inspector Circle Kawardha Chhattisgarh P. S. Kawardha District Durg Chhattisgarh

---- Respondent

For Applicant	:	Mr.Dinesh Tiwari, Advocate
For Respondent	:	Mr.A.K. Shukla, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

13.11.2017

1. 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 in connection with Crime No.25/2017, registered at Police Station- Kawardha, District- Kabirdham (C.G.) for the offences punishable under Section 20 (kha) 2 (Ba) N.D.P.S. Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 16.07.2017, the case is likely to take sometime for completion, hence, the applicant prays for grant of bail.

3. Learned State counsel opposes the prayer for grant of bail, hence, he is not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. Applicant was searched on 16.07.2017 by Excise Sub-Inspector and was found possession of narcotics ganja 1.700 Kg, therefore, the case has been registered and charge-sheet has been filed against the applicant.
6. Considering the submissions and contents of the case diary, the applicant is in jail since 16.07.2017 and he is a resident of Dewarpara, Kawardga, Rev & Civil District Kabirdham, (C.G) his availability before the trial Court can be ensured, he is ready to abide by the conditions imposed upon grant of bail. This Court is of the opinion that this is a fit case where the applicant is entitled for grant of bail.
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