

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.3564 of 2017

- Maniram Sahu S/o Badri Prasad Sahu, Aged About 23 Years R/o Village- Marhikanpa, Police Station- Kota, Civil And Revenue District- Bilaspur Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through- Police Station- Nandghat, Civil And Revenue District- Bemetara (Chhattisgarh).

---- Respondent

For Petitioner	:	Shri M. D. Dhote, Advocate
For Respondent/State	:	Shri Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

31/07/2017

Heard.

2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.34/2016 registered at Police Station Nandghat, District Bemetara for the offence punishable under Section 20(B)(ii)(b) of the NDPS Act.

3. The applicant has repeated the bail application mainly on the ground of long detention and non conclusion of trial. It is submitted that earlier bail application was rejected on 30-05-2016. The present bail application has been filed as the trial has not been concluded and out of 14 witnesses only 5 witnesses have been examined till date and remaining witnesses are not turning up despite summons and warrants issued by the Trial Court. It is submitted that the applicant is not likely to abscond and ready to furnish proper surety to ensure his appearance during trial.

4. On the other hand, learned State counsel opposed the prayer for grant of

bail on the submission that looking to the nature of allegation and the fact that 15 KG of ganja was recovered from the vehicle driven by the applicant, therefore, only on the ground of long detention of the applicant, he is not entitled to bail.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the applicant is in jail since 25-01-2016 and the trial is not concluded even after 1 ½ years and that the applicant is ready to furnish solvent surety to ensure his appearance before the trial Court and further that the applicant is not likely to abscond or tamper with the prosecution witnesses, the application at this stage deserves to be and is accordingly allowed.

6. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.25,000/- along with one local surety of the like amount to the satisfaction of the trial Court on the condition that he shall continue appear before the trial Court regularly on each and every date, unless exempted.

SD/-

(**Manindra Mohan Shrivastava**)

J U D G E