

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4594 of 2017

- Guljar Mohammad S/o Kayyum Mohammad, Aged About 50 Years R/o Jagriti Nagar, Beergaon, Police Station Urla, Raipur, District (Revenue & Civil) Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Urla, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Yogesh Pandey, Advocate.
For Respondent/State	:	Mr. Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

07/11/2017

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. 51/2017, registered at Police Station- Urla, District – Raipur(C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substance Act, 1985.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 20.02.2017. The case has been investigated and charge-sheet has been filed. The trial of the case is likely to take some time, hence, prayed that the applicant be enlarged on bail.
3. Learned State counsel opposes the bail application and submissions

made in this respect. It is submitted that the charge of offence against the applicant is of grievous in nature, hence, applicant is not entitled for grant of bail.

4. Heard both the parties and perused the case diary.
5. As per the case against applicant 2.2 kg of ganja seized from his possession.
6. Considering the submissions made in this respect and contents of case diary and looking to this fact that applicant is in jail since 20.2.2017. The trial against the applicant has commenced. I am of this view, that it would not serve any purpose if the applicant is continuously kept in jail for the entire period of trial and also looking to this fact that he is the local resident of the locality whose availability before the trial Court shall not be compromised if he is enlarged on bail, hence, this appears to be a fit case where the applicant should be enlarged on 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