

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6648 of 2017**

- Sachin Singh @ Bunti S/o Late Vijendra Pratap Singh, Aged About 30 Years Caste - Kshatriya, R/o Gram Panchayat Chittajhor, Pondi, Ward No. 2, Tahsil Baikunthpur, Post Office And Police Station Pondi, District Koriya Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Pondi, District Koriya Chhattisgarh.

---- Respondent

For Applicant	:	Shri Shivendu Pandya, Advocate
For Respondent-State	:	Shri S.R.J. Jaiswal, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/11/2017**

1. This is the second 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 16-10-2016 in connection with Crime No. 150 of 2016 registered at Police Station Pondi, District-Koriya (CG) for the offence punishable under Section 22 of the Narcotics Drugs and Psychotropic Substance Act.
2. As per the prosecution case, on 16.10.2016 on a raid being conducted and from the possession of the applicant 8.150 gm of Brown Sugar (Heroin) was seized.
3. Learned counsel for the applicant would submit that the earlier bail application bearing M.Cr.C. No.1141/2017 was dismissed as withdrawn with liberty to repeat the same after examination of the seizure witness. Now

the seizure witness Masiuddin & Akhtar Ali have been examined and they have not supported the case of the prosecution, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts of this case that the seizure witness have already been examined, without further observation on merits, especially taking into consideration the quantity of the brown sugar so seized and the applicant is in jail since 16.10.2016, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge

Ashu