

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 7672 of 2017**

Divyesh Pandey @ Somu @ Dibyesh, S/o. Vindhesh Pandey, Aged about 22 years, R/o. Village Patna, Paschim Para, Police Station Patna, District Koriya, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh, Through Police Station Ramanujnagar, District Surajpur, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Ashok Kumar Shukla, Advocate
For State	:	Mr. Gary Mukhopadhyay, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/12/2017**

1. Present is a repeat bail application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 07/2017 registered at Police Station Ramanujnagar, District Surajpur, Chhattisgarh for the offence punishable under Section 21(B) of NDPS Act, 1985.
2. The applicant in the present case is in jail since 11.01.2017 in connection with the aforesaid Crime number.
3. The earlier bail application was rejected on 05.10.2017.
4. Counsel for the applicant submits that the present applicant has remained in custody for a period of more than 11 months and that out of the witnesses who have been examined, two seizure witnesses who have been examined have not supported the case of the prosecution and have turned hostile.

5. Considering the facts and circumstances of the case, particularly taking note of the seizure witnesses not supporting the case of the prosecution and also taking note of the period of custody undergone, present application deserves to be and is accordingly allowed.
6. 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 Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge

Ved