

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 72 of 2018

- Jitendra @ Tikendra S/o Girdhari Baghel, Aged About 25 Years R/o Pandel, Balod, District Balod Chhattisgarh, Presently Residing At Gali No. 3, Vijay Nagar, Awanti Vihar, Telibandha Raipur District Raipur Chhattisgarh , Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. B.L. Sahu, Advocate.
For Respondent : Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

09/03/2018

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.526/2017, registered at Police Station– Telibandha, Raipur, District– North Bastar Kanker (C.G.) for the offence punishable under Sections 20 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 13.12.2017. He is local resident of District-Raipur and is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Presently the charge-sheet has been filed and the case is before the trial Court and the trial is likely to take some time

before its conclusion. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. On the date of incident on 13.12.2017 on a search made by the police personnel of PS-Telibandha, applicant was found in possession of 1.5 kg ganja the narcotic substance, which was seized and case was registered against the applicant. Hence, this case.
6. Considering on the nature of offence committed and as the case is presently before the trial Court. The trial against the applicant is likely to take some time before its conclusion. Applicant is a local resident of District-Raipur and his availability before the trial Court shall not be compromised if he is enlarged on regular bail, for this reason, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge