

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8087 of 2017

- Ismael Khan S/o Mohammand Salim, Aged About 33 Years, R/o M I G 52 Golu Chouk Kabir Nagar, Police Station Kabir Nagar, Tahsil And District Raipur Chhattisgarh. , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Kumhari , District Durg Chhattisgarh . , Chhattisgarh

---- Non-applicant

For Applicant – Smt. Kiran Jain, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-03-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 15-08-2017 in connection with Crime No.189/2017 registered at P.S. Kumhari, District Durg Chhattisgarh for the offence under Section 20-(b) of Narcotic Drugs and Psychotropic Substance Act, 1985.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in custody since 15-08-2017. He is ready to abide by all the conditions to be imposed on grant of bail. Hence, he may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant does not deserve to be benefited with grant of bail.
4. Heard learned counsel for both the parties and perused the case diary.
5. As the case is, on a search made by police personnel of P.S. Kumhari,

District Durg, 3.0 kg. Ganja was recovered and seized from the possession of this applicant while he was sitting in the scooty which was driven by the co-accused, on that basis the case has been registered against this applicant and the co-accused.

6. Considered on the material present in the case diary. As the charge sheet has been filed and the trial against the applicant is likely to take some time, further, the applicant is local resident of District Raipur whose availability before the trial Court shall not be compromised if he is released on bail, hence, for these reasons, I am of this view that the applicant should be released on regular bail during pendency of the trial against him.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge