

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 73 of 2018

- Banti Saky S/o Gopal Saky Aged About 40 Years R/o D.D. Nagar Bidi Colony, Thana Maharajpura District Gwalior Madhya Pradesh, Madhya Pradesh.
- Pawan Kumar Mahavar S/o Gangadhar Mahavar, Aged About 32 Years R/o D.D. Nagar Bidi Colony, Thana Maharajpura District Gwalior Madhya Pradesh, District : Gwalior, Madhya Pradesh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Komakhan, District Mahasamund Chhattisgarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Praveen Kumar Tulsiyan,
Advocate.

For the Respondent/State : Shri Vinod Tekam, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16.03.2018

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. 91/2017, registered at Police Station – Komakhan, District – Mahasamund, (C.G), for the offences under Section 20 (B) of Narcotic Drugs Psychotropic Substances Act.
2. Learned counsel for the applicants submits, that the applicants have been falsely implicated in this case and they are in jail since 25.07.2017. After completion of the investigation the charge-sheet has been filed but the trial is not yet completed. The applicant is ready to abide by all the conditions which may

be imposed while granting bail to him, hence, it is prayed that the applicants may be released on bail.

3. Learned counsel for the State opposes the bail application and submission made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident, the applicants stopped and searched by the police personnel of PS- Komakhan, District - Mahasamund and 11.2 kg ganja was seized from the possession of the presents applicants, when they were travelling in the bus, hence, the case was registered against these applicants and one another.
6. Considering the submissions made, contents of the case diary and taking into consideration this fact that the applicants are in jail since more than 06 months and the trial is not yet completed, therefore, looking to the pendency of the trial, I am of the view that it is a fit case where the applicants should be released on bail.
7. Consequently, the application filed under Section 439 of the Cr.P.C. is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one local surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)

Judge