

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 112 of 2018**

Sagardas Banjare S/o Jagdish Prasad Banjare, Aged About 19 Years R/o Village Garra, Police Station Bemetara District Bemetara Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Bemetara, District Bemetara Chhattisgarh.

---- Respondent

For the Applicant : Shri Vivek Sharma, Advocate.
For the Respondent/State : Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****13.03.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.729 of 2017, registered at Police Station – Bemetara, District - Bemetara, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that the applicant is in jail since 13.11.2017 and he has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The applicant is a local resident of District Bemetara and there is no likelihood of his absconding. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the

applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, on a search made by the police personnel of P.S. Bemetara, District Bemetara, 1.250 kg of ganja (narcotic substance) was recovered and seized from this applicant. Hence, this case.

6. Considering the material present in the case-diary, the case is already before the trial Court and the trial of the case is likely to take some time for its final disposal, I am of the considered opinion that the applicant deserves to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge