

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 295 of 2018**

Mahendra Sahu, S/o. Shri Bhagiram Sahu, Aged About 22 Years, Vill. Rabeli,
P.S. Pipariya, Tahsil Kawardha, District Kabirdham Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : P.S. Excise Cell Kawardha, District
Kabirdham, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Aparna Singh, Advocate
For State/respondent	: Mr. Neeraj Mehta, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****15/03/2018**

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.67/2017, registered at Police Station – Excise Cell Kawardha, District – Kabirdham (C.G.), for the offence punishable under Section 20 (ख) (2) (ब) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 11.12.2017. Applicant is the local resident of District – Kabirdham and he is ready to abide by all the conditions, which may be imposed while releasing him on bail. Therefore, the counsel prays that the applicant may be released on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the applicant has a criminal antecedents of having one case under

the provisions of Gambling Act and one another case of preventive nature under the Code of Criminal Procedure. Hence, he may not be released on bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, on search made by the police personnel of Police Station – Pipariya, District – Kabirdham, 2 Kg. of narcotics substance Ganja was found in the possession of this applicant, which was seized accordingly. Hence this case.
6. Considered the submissions made and the contents of the case diary. Considering the material present in the case diary, as the case is presently before the trial Court and the trial against this applicant is likely to take sometime and there is no criminal antecedents of this applicant of similar nature, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on her 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 her appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge