

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 864 of 2018

- Bharat Barik S/o Shri Sundar Barik, Aged About 28 Years, R/o Village Vyapariguda, District Koraput (Odissa), District : Koraput, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Bodhghat, Civil and Revenue District Bastar Chhattisgarh, District : Bastar (Jagdalpur), Chhattisgarh

---- Non-applicant

For Applicant – Mr. Keshav Dewangan, Advocate.

For Non-applicant/State – Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-04-2018

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 12-07-2017 in connection with Crime No.219/2017 registered at P.S. Bodhghat, District Bastar, Chhattisgarh for the offence under Section 20(B) of N.D.P.S. Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 12-07-2017. Charge sheet has been filed after completion of the investigation and the trial is still pending. The applicant is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that he may be released on bail.

3. Learned counsel for the State/non-applicant opposes the application.

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

5. 4.5 kg. of ganja was recovered and seized from the possession of this applicant while the same was being transported by him along with 6 other co-accused persons in this case.

6. Considered on the entire material present in the case diary. As the trial

against this applicant is likely to take some time before its conclusion and no purpose would be served if the applicant is kept in detention till conclusion of the trial, I am of this view that this applicant should be released on 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