

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 817 of 2018

- Bhavsingh Nishad S/o Late Rameshar Nishad Aged About 53 Years R/o Village Borsi, Post Office And Police Station Magarlod, District Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Magarlod, District Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent/State	:	Mr. N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

04/04/2018

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.266/2017 registered at Police Station– Magarlod, District– Dhamtari(C.G.) for the offence punishable under Sections 20(b) of Narcotics Drugs and Psychotropic Substance Act.
2. Learned counsel for the applicants submits that applicant is innocent and has been falsely implicated in this case. After completion of investigation, charge-sheet has been filed. Applicant is local resident of District-Dhamtari and he is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. On the date of incident on 8.12.2017 on a search made by the police personnel of PS-Magarlod, District-Dhamtari, applicant was found in possession of 1.6 kg ganja the narcotic substance, which was seized and case was registered against the applicant. Hence, this case.
6. Considered on the entire material present in the case diary, applicant is a local resident of District-Dhamtari and subsequent to filing of charge-sheet, it appears that no requirement of any detention in jail of the applicant till the conclusion of trial, for this reason, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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