

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.774 of 2018**

Rajesh Chhokar, son of Jile Singh, Caste Nai, aged about 30 years, resident of Pasinakala, Tahsil Bapili, Police Station Pasinakala Sadar, District Panipat, Haryana

---- Applicant

versus

State of Chhattisgarh through Station House Officer, Police Station Borai (wrongly mentioned in the order-sheet as P.S. Arjuni), District Dhamtari, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Sharmila Singhai, Advocate
For Respondent	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****30.4.2018**

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.13 of 2017 registered at Police Station Borai (wrongly mentioned in the order-sheet as P.S. Arjuni), District Dhamtari for offence punishable under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on 22.9.2017, on the basis of information received from an informant, a Skoda Activa Car bearing registration No.DL 06 CG 5423 was stopped and searched. Including the present Applicant, four other persons were sitting in the car and total 91 Kgs. of Ganja was kept therein. From the possession of the present Applicant, 13 Kgs. of Ganja was seized.

3. Learned Counsel appearing for the Applicant submits that the Applicant is in custody since 22.9.2017. Charge-sheet has already been filed. 13 Kgs. of Ganja is a small quantity. The Applicant suffers 70% permanent physical disability. A certificate of his permanent physical disability has also been annexed with the present application which shows that he suffers 70% permanent physical disability. Trial will take a long time. Therefore, he may be enlarged on bail.
4. Learned Counsel appearing for the State opposes the prayer for grant of bail.
5. I have heard Learned Counsel appearing for the parties and perused the entire case diary with due care.
6. Having considered the facts and circumstances of the case, particularly that the Applicant suffers 70% permanent physical disability, he is in custody since 22.9.2017 and trial is likely to take time, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.50,000/- with one solvent surety of the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
JUDGE