

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7717 of 2017**

- Choudhary Bishra S/o Padman Bishra, Aged About 33 Years, R/o Landagaon, Police Station Baliguda, District- Kandhmal Orissa, Orissa

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through District Magistrate, Janjgir, District- Janjgir-Champa, Chhattisgarh, Chhattisgarh

**---- Non-applicant**

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For Applicant – Shri Ashutosh Trivedi, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

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

**Order on Board**

**13-02-2018**

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application filed by the applicant for grant of regular bail before this Court. The applicant has been arrested on 23-08-2017 in connection with Crime No.84/2017 registered at Police Station Birra, District Janjgir-Champa, Chhattisgarh for the offence under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against this applicant on the basis of the prosecution case. The applicant is in jail since 23-08-2017. He is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant is resident of Odisha, hence his availability before the trial Court would be compromised if he is released on bail. Hence, the application may be dismissed.
4. Heard learned counsel for the parties and perused the case diary.
5. The case of the prosecution is this, that on search made by the police personnel of P.S. Birra, District Janjgir-Champa, 5 kg. Ganja was recovered and

seized from the possession of this applicant. Hence, this case.

6. Considered on the submissions made and contents of the case diary.

7. Consideration of the facts that there is no report about any criminal history of this applicant and trial against this applicant is likely to take some time for its conclusion, I am of this view that the applicant should be released on bail in the present matter.

8. Consequently, the application (MCRC No.7717/2017) filed under Section 439 of the Cr.P.C. by the applicant 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.

9. Certified copy as per rules.

Sd/-

**(Rajendra Chandra Singh Samant)**  
**Judge**