

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7849 of 2017**

Bhupendra Singh, S/o. Khilan Singh, Aged About 24 Years, R/o Ward No.29, Uday Nagar Colony, Vidisha, Sagar Road, P.S. Civil Lines, District Revenue and Civil Vidisha M.P..

---- Applicant

Versus

State Of Chhattisgarh, Through: Station House Officer, Police Station Mainpur, District Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Yogesh Pandey, Advocate
For Respondent/State	: Mr. Ashok Kumar Swarnakar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**26/02/2018**

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.119/2016, registered at Police Station –Mainpur, District – Gariyaband (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substance Act, 1985.
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 19.12.2016, trial against him is not yet completed, applicant is ready to abide all the conditions imposed for grant of bail, therefore, it is prayed that the applicant may be enlarged 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 applicant is resident of Madhya Pradesh, hence his availability for the trial shall be compromised, if he is released on bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. Brief facts of the case are that on search being made by the police personnel of Police Station – Mainpur, District – Gariyaband (C.G.), 6 Kg. Ganja was recovered and seized from his possession.
6. Considered the submissions made and the contents of the case diary. Considering the material present in the case diary and taking into consideration the fact that co-accused in this case has been granted bail by this Court and trial against this applicant is likely to take some time for its completion, 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 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 trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge