

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7755 of 2017**

Love Kumar Sahu, S/o. Mohan Lal Sahu, Aged About 36 Years, R/o. Kanharbhatha Khaira, Police Station -Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Its- Police Chowki Malhar, S.H.O. Masturi, Civil And Revenue District Bilaspur, Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant	: Mr. Ravi Maheshwari, Advocate
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For Respondent/State	: Ms. Smita Ghai, Panel Lawyer
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Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**20/02/2018**

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.388/2017, registered at Police Station – Masturi, District – Bilaspur (C.G.) for the offence punishable under Section 20-B of N.D.P.S. Act, 1985.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out on the basis of the material present in the charge-sheet filed against him. Trial against this applicant is likely to take sometime for its conclusion, applicant is local resident of District-Bilaspur and ready to abide by 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.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The prosecution case in brief is that on search being made by the police personnel of Police Out Post – Malhar, under the jurisdiction of Police Station – Masturi, 2.086 Kg. of Ganja/narcotics substance was recovered and seized from this applicant and on that basis, case has been registered against him.
6. Considered the submissions made and the contents of the case diary. As the case is presently before the trial Court and the trial is likely to take sometime and further the applicant is local resident of District – Bilaspur, whose availability before the Court can be ensured by imposing conditions, 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