

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 6350 of 2017

- Anjor Das S/o Mehattar Dhritlahre Aged About 40 Years By
Caste Satnami, R/o Village Chilfi, Police Station Saja,
Bemetara, Civil And Rervenu District Bemetara Chhattisgarh
Permanent R/o Village Gormati, Tahsil Kawardha Civil And
Rervenu District Kabirdham Chhattisgarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Saja, Civil And Rervenu District Bemetara
Chhattisgarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Janak Ram Verma,
Advocate.

For the Respondent/State : Ms. Smita Ghai, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05.02.2018

1. The applicant first bail application is dismissed as withdrawn vide order dated **24.07.2017**. in **M.Cr.C. No. 2973 of 2017**.
2. This is the second 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. 25/2017, registered at Police Station – Saja, District – Bemetara, (C.G), for the offence under Section 20 (B) of the Narcotics Drugs and Psychotropic Substances Act.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 21.01.2017, no case is made out against him, on the basis of material in the charge-sheet, the case is before the trial Court and still not concluded, hence, it is prayed that the applicant may be enlarged on bail.
4. Learned counsel for the State opposes the bail application and submits that the quantity of contraband is about 10 kg, purpose of the possession of this quantity is clearly for sale, hence, he is not entitled for grant of bail.
5. Heard counsel for both the parties and perused the case diary.
6. On the date of incident the house of the applicant searched and 10 kg ganja was found in his possession. Hence, this case.
7. Considering the submissions made by learned counsel, contents of the case diary and taking into consideration that the applicant is in jail since more than one year, the trial is not yet completed and he is a local resident of Bemetara, there is no chance of his absconding during the course of the trial,

therefore, I am of the view that it is a fit case where the applicant is entitled for grant of bail.

8. 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, not in cash 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

Jamal