

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1019 of 2018**

Arun Mohite S/o Harishchandra Mohite Aged About 43 Years R/o Village Madni, Post Akoli, Police Station Anji, Tahsil And District Vardha Maharashtra, Maharashtra.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Keshkal District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh.

---- Respondent

For the Applicant : Shri Ravi Kumar Bhagat, Advocate.
For the Respondent/State : Ms. M. Asha, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****27.06.2018**

Heard.

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. 122 of 2017, registered at Police Station Keshkal, District Kondagaon, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 15.10.2017 and has been falsely implicated in this case. The charge-sheet has been filed against him, the case is before the trial Court and the trial against the applicant is not yet concluded. No case is made out against the applicant on the basis of the material placed before the Court by the

prosecution. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, on a search made by the police personnel of P.S. Keshkal, District Kondagaon, 10.950 kg of ganja was recovered from the possession of the applicant while he was travelling in a motorcycle. Hence, this case.

6. Considering the submissions and the contents of the case-diary and the trial is likely to take some time for its final disposal, hence, the application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge