

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1041 of 2018**

Rajkumar Dubey @ Munna, S/o. Pyare Lal Dubey, Aged About 49 Years, R/o. Mohbhattha, Ward No. 06, Bemetara, Police Station and District Bemetara Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Bemetara, District -Bemetara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vinod Tekam, Advocate

For State/respondent : Mr. Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**10/04/2018**

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.679/2017, registered at Police Station – Bemetara, District – Bemetara (C.G.), for the offence punishable under Section 20(B) of N.D.P.S. Act.
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 23.10.2017. No case is made out against this applicant on the basis of the material present in the charge-sheet. Applicant is local resident of district – Bemetara and ready to abide by all the conditions imposed for grant of bail. Charge-sheet in this case has been filed after completion of investigation. Hence, 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 case of the prosecution in brief is that on search made by the police personnel of Police Station of Bemetara, 5 Kg. Ganja, the narcotics substances has been recovered and seized from the possession of the applicant.
6. Considered on the submissions made and the contents of the case diary. As the investigation has been completed and the trial against this applicant is likely to take sometime for its conclusion and further the applicant is resident of District – Bemetara, 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