

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1311 of 2018

Amit Kumar S/o Ramesh Chandra Aged About 25 Years
Caste-Jatav, R/o.- Shivalal Kala, District- Aligarh, U.P.

---- Applicant

Versus

State of Chhattisgarh Through- Police Station Nagarnar,
District- Bastar, Chhattisgarh.

---- Respondent

For the applicant : Mr. Alok Dewangan, Advocate.
For the State : Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.03.2018

1. This is third bail application filed u/s 439 of the Code of Criminal Procedure for grant of bail to the applicant in connection with Crime No. 21/2016 registered at Police Station- Nagarnar, District- Bastar (C.G.) for the offences punishable u/s 20(b) of the Narcotic Drugs and Psychotropic Substances Act.
2. The first bail application was dismissed on 23.08.2016. The second bail application was dismissed on 17.11.2017.
3. As per the prosecution case, on 07.02.2016 on an information received that the applicant along with other accused were carrying contraband Ganja in Bus bearing Regn. No. C.G. 19F/0702, as such the said bus was intercepted and on a search being conducted 14 Kgs. & 500 grams of Ganja was recovered from the joint

position of the accused, thereby the offence is committed.

4. Learned counsel for the applicant submits that the other accused who were in possession of 1.900 grams and 2.5 Kgs. of Ganja respectively have been enlarged on bail by the coordinate bench of this Court and the applicant is in jail since 08.02.2016 and till date statement of the investigating officer has not been recorded, therefore, the applicant may be enlarged on bail.
5. Per contra, learned State Counsel opposes the prayer.
6. Considering the fact that the applicant is in jail since 08.02.2016 and looking to the quantity of Ganja recovered from him and further considering the fact that the other co-accused has been enlarged on bail by the coordinate bench of this Court, I am inclined to release the applicant on bail at this stage.
7. Accordingly, this bail application is allowed and the applicant is directed to be released on bail on his furnishing a bail bond in sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial court for his appearance before the said court as and when directed.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE