

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1370 of 2018

- Duryodhan Sahu S/o Shri Samaru Sahu, Aged About 45 Years, R/o.- Gandhi Chowk, Sankra, Police Station - Sihawa, District- Dhamtari, Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Applicant

Versus

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

---- Non-applicant

For Applicant – Mr. Pushpendra Kumar Patel, Advocate.

For Non-applicant/State – Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 28-12-2017 in connection with Crime No.0148/2017 registered at P.S. Sihawa, District Dhamtari, Chhattisgarh for the offence under Section 20(B)(II)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 28-12-2017. Charge sheet has been filed after completion of the investigation. The applicant is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that he may be released on bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that 1.9 kg. Ganja was recovered and seized from the possession of this applicant. Also, there are previous cases of preventive nature against the applicant. Hence, he is not entitled for grant of bail.

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

5. Considered on the entire material present in the case diary. Presently the case is before the trial Court and the applicant is local resident of District Dhamtari, whose availability before the trial Court can be ensured. Hence, for these reasons, I am of this view that this applicant should be released on bail during pendency of the trial against him.

6. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge