

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1292 of 2018

- Awdhesh Singh S/o Shri Chandrika Singh Kurmi Aged About 42 Years R/o.- Errigation Colony Darri, Thana- Darri, District- Korba, Chhattisgarh, At Present Residence Of Madkudeep, Police Outpost-Sargaon, Thana- Pathariya, District- Mungeli, Chhattisgarh, District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Pathariya, Police Outpost-Sargaon Civil And Revenue District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondent

For Applicant : Mr. Sumit Shrivastava, Advocate.
For Respondent : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

18/04/2018

1. This is the first 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.43/2018, registered at Police Station– Pathariya, Police Outpost-Sargaon, Civil & Revenue District– Mungeli(C.G.) for the offence punishable under Sections 20 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 22.1.2018. He is local resident of District-Bilaspur and is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on

regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. On the date of incident on 22.1.2018 on a search made by the police personnel of PS-Pathariya, applicant was found in possession of 3.500 kg ganja the narcotic substance, which was seized and case was registered against the applicant. Hence, this case.
6. Considering on the nature of offence committed and as the case is presently before the trial Court. The trial against the applicant is likely to take some time before its conclusion. Applicant is a local resident of District-Mungeli and his availability before the trial Court shall not be compromised if he is enlarged on regular bail, for this reason, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. 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 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