

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1432 of 2018

- Deepak Tanti S/o Parthbo Tanti Aged About 28 Years R/o.- Tavla, Post And Police Station- Panari, District- Udalgudi, Assam., Assam

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Nagarnar, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh.

---- Respondent

For the applicant : Shri Ravi Kumar Bhagat,
Advocate

For the Respondent/State : Shri Anant Bajpai, PL

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20.04.2018.

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.09/2017, registered at Police Station – Nagarnar, District – Bastar, (C.G), for the offence under Sections 20 (B) NDPS Act.
2. Learned counsel for the applicant submits, that the applicant has falsely been implicated in this case and he is in jail since 22.01.2017. After completion of investigation the charge-sheet has been filed and the case is pending before the trial Court. Till date only one witness has been examined out of the 14 witnesses in the list of the prosecution case. The trial is likely to take some time for its completion, for this reason, it is prayed that the applicant may be released on bail.
3. Learned counsel for the State opposes the bail application and submits that the applicant is a resident of another State Assam, if

he is granted bail his appearance before the trial Court would be affected and that will affect the trial, hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident this applicant was traveling in the bus. On the basis of a secret information received, the police personnel of PS- Nagarnar, District – Bastar, searched and seized 9.820 Kg, contraband ganja from the possession of the present applicant and one co-accused. Hence, this case.
6. Considering the submissions made and contents of the case diary and further considering the facts that the applicant is in jail since 22.01.201, and the trial is likely to take some more time for its completion, for this reason, this Court is of the opinion that this is a fit case where the applicant should be released on 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 local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. It is further directed that in case the applicant makes any default in appearing before the said trial Court this regular bail order shall stand vacated automatically.

Sd /-

(Rajendra Chandra Singh Samant)

Judge