

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6897 of 2017

- Bharat Sahu S/o Balaram, Aged About 44 Years, R/o Village Madmada, Police Station Kawardha, District Kabirdham Chhattisgarh Present Address Village Kuninda Post Bhuvneshwarpuri, Police Station Jajpur District Jajpur, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kawardha, District Kabirdham Chhattisgarh., Chhattisgarh

---- Non-applicant

For Applicant – Shri Dharmesh Srivastava, Advocate.
For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

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

11-01-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant has been arrested on 20-07-2017 in connection with Crime No.192/2017 registered at P.S. Kawardha, District Kabirdham, C.G. for the offence under Section 20(B)(2)(b) of the Narcotic Drugs and Psychotropic Substance Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 20-07-2017. He is local and permanent resident of District Kawardha. The case against the applicant is likely to take some time and he is ready to abide by all the conditions imposed on grant of bail. Hence, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the

application and submission made. It is submitted that one of the addresses given of the applicant shows that he is resident of other State, Orrissa, hence, if he is released on bail, trial against him shall be affected. Therefore, the applicant does not deserve to be enlarged on bail.

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

5. As per the facts of the case, 4.6 kg. Ganja has been recovered and seized from the possession of the applicant on the date of incident and on that basis the case has been registered against him.

6. Considered on the submissions made and contents of the case diary.

7. The trial against the applicant is likely to take some time before its conclusion, no purpose would be served if the applicant is kept in detention till conclusion of the trial, hence for these reasons, this Court is of the considered view that the application filed by the applicant for grant of regular bail deserves to be allowed.

8. Consequently, the application (MCRC No.6897/2017) filed under Section 439 of the Cr.P.C. by the applicant 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.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge