

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1643 of 2018

- Horilal Kewat S/o Shri Vidya Prasad Kewat Aged About 20 Years R/o Village Lohara, Police Station Bijuri, District Anuppur M. P., District : Anuppur, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Nagarnar, Civil And Revenue District Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

For Applicant	:	Mr. K.K. Patel, Advocate.
For Respondent/State	:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

23/04/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.94/2017, registered at Police Station- Nagarnar, District – Bastar(C.G.) for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 02.07.2017. No case is made out against this applicant as the contraband was not seized from his possession and neither he was found in possession of the vehicle bearing registration No.CG-12R-5081. Similarly placed co-

accused has already been granted bail by this Court. Hence, it is prayed that he may be released 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. According to the prosecution case, one vehicle bearing registration No.CG-12R-5081 was found in abandoned condition by the police personnel PS-Nagarnar, District-Bastar and on search being made, it was found that 50 kg ganja was being transported. FIR was lodged. The registered owner of the vehicle Sanjay gave statement that he had given his vehicle on hire to one Prakash Kumar and it is the statement of co-accused Prakash Kumar that he handed over the said vehicle to this applicant.
6. Looking to the evidence that is proposed against this applicant for his prosecution in this case, I feel inclined to grant bail of this applicant.
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 Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha