

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1668 of 2018

- Ashok Pandey S/o Shri Sursari Pandey, Aged About 22 Years, R/o- Village Dihiya Padan, Police Station Naigarhi, District- Riva, (M.P.), District : Rewa, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Ganj, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Mr. Sangeet Kumar Kushwaha, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27/04/2018

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 23-04-2017 in connection with Crime No. 175/2017 registered at P.S. - Ganj, Raipur, District- Raipur, Chhattisgarh for the offence under Section 20(B) of the N.D.P.S. Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 23-04-2017. 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 17.800 kg. Ganja was recovered and seized from the possession of this 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. It is almost more than one year since the applicant is in detention and according to the

information given by counsel for the applicant, the trial against him is standstill and no witness of the prosecution has been examined so far. Hence, looking to the likelihood of delay in conclusion of the trial, 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