

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.1696 of 2018

Tulsiram S/o Dashrath Muriya, aged about 23 years, R/o Pataraguda,
Village Borgaon, P.S. Kosaguda, District Navrangpur (Orissa).

---Applicant

Versus

State of Chhattisgarh, Through – The Police Station Nagarnar, District
Bastar (C.G.).

---Respondent

For applicant	:	Shri Pravin Tulsyan, Advocate.
For resp./State	:	Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/05/2018

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No. 08/2017 registered at Police Station Nagarnar, District Bastar (C.G.). for the offence punishable under Section 20-B of the Narcotics Drugs & Psychotropic Substances Act, 1985.
2. Present applicant is in jail since 22/01/2017.
3. The counsel for the applicant submits that, the present applicant has already remained in custody for a period of about 1 ½ years and that the present applicant has been wrongly implicated in the instant case. He further submits that, the present applicant was driving the vehicle and the contraband was seized from the possession of pillion rider and that the present applicant was not aware of what the pillion rider was in possession of. He further submits that, even though the present applicant was arrested

on 22/01/2017, till date even the charges have not been framed before the trial court and there is all possibility that the proceedings would take a considerable period of time and the applicant would be unnecessarily languishing in jail and thus prayed for releasing the applicant on bail.

4. The State counsel however opposing the bail application submits that, looking to the nature of allegation levelled against the present applicant which is quite serious and that the quantity of contraband seized from the possession of applicant being 20 K.G., the present applicant did not deserve bail at this juncture and prayed for rejection of the same.

5. Having heard the contentions put forth on either side and on perusal of record, particularly taking note of the period of custody undergone so also taking note of the fact that even the charges have not been framed in the trial court this Court is of the opinion that prima-facie, a strong case has been made out for grant of bail to the present applicant.

6. Accordingly, the application for grant of bail is allowed. It is ordered that the applicant shall be released on bail on his executing 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. The applicant shall thereafter appear before the Trial Court on each and every date given by the said court.

Sd/-
(P. Sam Koshy)
JUDGE

Sumit