

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1974 of 2018

Alekh Chouhan, S/o. Shri Bhaskar Chouhan, Aged About 36 Years, R/o. Village Tora, P.S. Shivrinarayan, District Janjgir Champa Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through District Magistrate, District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant : Mr. Ashutosh Trivedi, Advocate

For Respondent : Mr. S.R.J.Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.05.2018

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.87/2017 registered at Police Outpost- Adbhaar, Police Station- Malkharouda, District Janjgir-Champa (C.G.) for the offence punishable under Section 20(B) of N.D.P.S. Act.
2. As per the prosecution case, on a raid being conducted on 04.06.2017 from the possession of the applicant, 2 Kg Cannabis were seized while it was transporting.
3. Learned counsel for the applicant would submit that the similarly placed co-accused has been enlarged on bail by this Court on 21.11.2017 in MCRC No.5589 of 2017 and the case of the present applicant is similar and he is in jail since 04.06.2017; therefore, he may also be released on bail.

4. Learned State counsel do not dispute the fact that the similarly placed co-accused has already been enlarged on bail by this Court.
5. Perused the case diary and the documents. Considering the fact that the similarly placed co-accused has already been enlarged on bail and the applicant is in jail since 04.06.2017, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing 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, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge