

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2248 of 2018**

Rajendra Netam, S/o. Bhagwan Singh, Aged About 35 Years, R/o. Muktidham, Kurud, Post Jamul, P.S. Pulgaon, Distt. Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station Pulgaon, Distt. Durg Chhattisgarh.

---- Respondent

For Applicant : Ms. Rajni Soren, Advocate

For State/respondent : Mr. Neeraj Mehta, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**09/07/2018**

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.426/2017, registered at Police Station – Pulgaon, District – Durg (C.G.), for the offence punishable under Section 20 (B) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 08.10.2017. The case is before the trial Court and the independent witnesses of search and seizure have turned hostile and they have not supported the case of the prosecution. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. On search made by the police personnel of Police Station – Pulgaon, District – Durg, in Car bearing registration No.C.G.-07-ZG-5531, the applicant was found in possession of 19.700 Kg. of Ganja, which was seized. Hence this case.
6. Considered on the submissions made and the contents of the case diary. Under the present development of things, the witnesses of search and seizure have been turned hostile and it appears that the applicant is resident of District Durg, hence for this reason and looking to the pendency of trial against him, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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 trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge