

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3225 of 2018

Shravan Kumar, S/o. Shri Shankar Mistri, Aged About 23 Years, R/o-
Mochi Road, Nehru Tola, P.S.- Dhaulpur, District- Patna (Bihar)

---- Applicant

Versus

State Of Chhattisgarh, Station House Master, P.S.- Nagarnar, District-
Bastar, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ankur Kashyap, Advocate

For Respondent : Mr. S.K.Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.07.2018

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.4/2016 registered at Police Station- Nagarnar, District Bastar (C.G) for the offence punishable under Section 20-B of N.D.P.S. Act.
2. As per the prosecution case, on 12.01.2016 while the present applicant and another were traveling in the Bus bearing No.C.G.07 NA 7722, from the possession of the present applicant total 31 Kg & 700 gm Cannabis were recovered in two bags.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and the seizure witness have not supported the case of the prosecution. He mainly emphasizes the fact that the I.O. in this case has not turned up since 03.01.2018: therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he admits the fact that the I.O. has not turned up since 03.01.2018.

5. Perusal of the order sheet would show that from 03.01.2018 six dates have passed and it appears that the I.O. has not turned up. Taking into such facts and specially taking into the quantity of seized Cannabis and further considering the pre-trial detention of the applicant, 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