

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2402 of 2018

- Chandra Shekhar Bhardwaj S/o Shri Karmu Lal Aged About 34 Years, R/o- Village Godam, P.S. Sarangarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Sarangarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant – Mr. Abhishek Sharma, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-05-2018

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 26-05-2017 in connection with Crime No.208/2017 registered at Police Station Sarangarh, District- Raigarh, Chhattisgarh for the offence under Section 20(B) of Narcotic Drugs and Psychotropic Substances 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 26-05-2017. The case is before the trial Court, which has not concluded so far. Co-accused Leeladhar Lahre has been granted bail by this Court and the applicant has similar case, hence, it is prayed that this applicant may also be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, the applicant and the co-accused were traveling on a motorcycle and when they were stopped and searched by the

police personnel of Police Station Sarangarh, District Raigarh, 14 kg. of Ganja was found inside the dicky of the motorcycle, which was seized from this applicant and the co-accused person jointly. Hence, this case.

6. Considered on the material present in the case diary. Taking into consideration this fact that trial has not been concluded so far and the applicant is in jail since nearly about one year and also the fact that co-accused person has been enlarged on bail, I am of this view that this applicant should be released on regular bail during pendency of the trial against him.

7. 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge