

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.2581 of 2018**

Mohan Kumar, son of Mahesh Kumar, age about 32 years, resident of Village Balod, Thana Sanai, District Guna, M.P.

---- Applicant

versus

State of Chhattisgarh through Station House Officer, Police Station Saraipali, District Mahasamund, Chhattisgarh

---- Respondent

For Applicant	:	Shri Vikash Pradhan, Advocate
For Respondent	:	Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****8.5.2018**

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.387 of 2016 registered at Police Station Saraipali, District Mahasamund for offence punishable under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on 26.12.2016, on the basis of information received from an informant, the present Applicant and co-accused Bhagwan Singh were found in possession of total 14 Kgs. of Ganja which was seized from their joint possession.
3. Learned Counsel appearing for the Applicant submits that the Applicant has falsely been implicated. He is innocent. He is in custody since 26.12.2016. Material witnesses have been examined and they have not supported the case of the

prosecution. Trial will take a long time. Therefore, the Applicant may be released on bail.

4. Learned Counsel appearing for the Respondent/State opposes the bail application.
5. I have heard Learned Counsel appearing for the parties and perused the entire material available with due care.
6. Considering the facts and circumstances of the case, particularly that the Applicant is in custody since 26.12.2016, charge-sheet has been filed, some witnesses have been examined and they have not supported the case of the prosecution, trial is likely to take time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one local solvent surety in the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
JUDGE