

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2517 of 2018**

Bhuvne Mali @ Bhupendra, S/o Bharat Mali, Aged About 20 Years, R/o-
Village- Panaraguda, Post Ukiyapali, P.S.- Kosagumda, District- Navrangpur,
State- Orrisa.

---- Applicant

Versus

State Of Chhattisgarh, Through- P.S.- Kotwali, Jagdalpur, District- Bastar,
Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vikash A. Shrivastava, Advocate
For State/respondent	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****20/06/2018**

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.10/2017, registered at Police Station – Kotwali, District – Bastar (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 13.01.2017. Charge-sheet has been filed after completion of investigation. The independent witnesses of search and seizure have been examined 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. As per the prosecution case, on the date of incident a search was made and 12 Kg. Ganja was seized from the possession of this applicant while he was travelling in a bus. Hence this case.
6. Considered on the submissions made and the contents of the case diary. Considering the entire material present in the case diary and looking to the fact that independent witnesses have been examined and they have not supported the case of the prosecution, 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