

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2552 of 2018

- Gulam Khan S/o Late Abdul Hamid Khan Aged About 33 Years R/o Village Babadera, Lachanpur, P. S. Janjgir Distt. Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Janjgir Distt. Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the applicant : Shri Ravindra Sharma,
Advocate

For the Respondent/State : Shri Vijay Bhadur, Singh, PL

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17.05.2018.

1. This is the second 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.252/2017, registered at Police Station – Janjgir, District – Janjgir- Champa, (C.G), for the offence under Sections 20 (B) NDPS Act.
2. The first bail application of this applicant has been dismissed as withdraw by this Court vide order dated 03.01.2018.
3. Learned counsel for the applicant submits, that the applicant has falsely been implicated in this case and he is in jail since 05.07.2017. After completion of investigation the charge-sheet has been filed and the case is pending before the trial Court. Out of 13

witnesses in the list of the prosecution case till date only 6 witness have been examined. The trial is likely to take some time for its completion, for this reason, it is prayed that the applicant may be released on bail.

4. Learned counsel for the State opposes the bail application and submissions made in this respect.
5. Heard counsel for both the parties and perused the case diary.
6. On the date of incident this applicant was traveling in the motorcycle. On search made by the police personnel of PS- Janjgir seized 10 Kg, contraband ganja from the possession of the present applicant. Hence, this case.
7. Considering the submissions made, contents of the case diary and taking into consideration this fact that this applicant is in jail almost one year and the trial is not yet complete, because of which, this applicant is languishing in jail. The applicant is local resident and his availability before the trial Court shall not be compromised, if he is released on bail, looking to the facts and circumstance of this case, I am of the view that it is a fit case where the applicants should be releases on bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his 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 /-

(Rajendra Chandra Singh Samant)

Judge