

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2658 of 2018**

Ahmad Raza, S/o. Mohammad Raza, Aged About 40 Years, R/o- Ramganj,
P.S. Aaspur (Devsara), District- Pratapgarh, (U.P.).

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station
Nagarnar, District- Bastar, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Pushplata Khalkho, Advocate
For State/respondent	: Mrs. M. Asha, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**27/06/2018**

1. This is the second 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.100/2017, registered at Police Station – Nagarnar, District – Bastar (C.G.), for the offence punishable under Section 20 (B) of N.D.P.S. Act. The first bail application was dismissed as withdrawn with liberty to revive the same after sometime.
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 09.05.2017. Charge-sheet has been filed and the trial against

this applicant is still pending. Hence, looking to the delay in conclusion of trial, 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. 10 Kg. of Ganja was recovered and seized from the possession of this applicant by the police personnel of Police Station – Nagarnar, District – Bastar. Hence this case.
6. Considered on the submissions made and the contents of the case diary. As about more than one year has passed and the trial against this applicant is still not concluded, hence, looking to the delay in trial, 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 local 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