

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2693 of 2018**

Ramsai Patel Alias Ravi Patel S/o Shri Dukalu Ram Patel Aged About 42 Years R/o Tundra, Police Station Gidhauri, District Baloda Bazar- Bhatapara Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Bilaigarh, District Baloda Bazar- Bhatapara Chhattisgarh.

---- Respondent

For the Applicant : Shri Shokie Yadav, Advocate.
For the Respondent/State : Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****18.06.2018**

Heard.

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. 373 of 2017, registered at Police Station Bilaigarh, District Baloda Bazar, Bhatapara, Chhattisgarh for the offence punishable under Section 420 of the Indian Penal Code and Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that the applicant is in jail since 16.10.2017 and has been falsely implicated in this case. Seven witnesses have been examined by the concerned trial Court and no adverse statement has been given against the applicant. The trial of the case is likely to take some more time for its final disposal. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that huge quantity of contraband has been seized from the possession of the applicant. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, 132.68 kg of ganja (narcotic substance) was seized from one abandoned Alto Car bearing registration No. C.G.-06-R-7108, as the wife of this applicant is the registered owner of the said Car, hence, the applicant has been made accused in this case.

6. Considering the material present in the case-diary and also perusing the certified copy of the statement of the witnesses before the trial Court, I am of the considered view that the present is a fit case where the applicant should be benefited with grant of 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge