

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 2748 of 2018**

Bhagwan Singh S/o Banshilal, aged about 30 years, R/o Village- Balod, Thana Sanai, District- Guna (M.P.).

**---- Applicant**

**Versus**

State of Chhattisgarh, Through- Station House Officer, Police Station- Saraipali, District- Mahasamund (C.G.),

**---- Respondent**

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| For Applicant  | : | Mr. Vikash Pradhan, Advocate     |
| For Respondent | : | Mr. U.K.S. Chandel, Panel Lawyer |

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**Hon'ble Shri Justice Arvind Singh Chandel**

**Order on Board**

**25/06/2018**

1. The applicant has preferred First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 387/2016 registered at Police Station- Saraipali, District- Mahasamund (C.G.) for the offence punishable under Section 20 (II) (b) of the NDPS Act.
2. As per prosecution story on 26/12/2016, on the basis of information received from the informant, the applicant along with co-accused Mohan Kumar was found in possession of 14 Kg of Ganja, which was seized from their joint possession. The applicant was arrested on 26/12/2016.
3. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. He is in custody since 26/12/2016, material witnesses have been examined and they have not supported the case of the prosecution. He further

submits that co-accused, Mohan Kumar has already been released on bail by this Court vide order dated 18/05/2018 in MCRC No. 2581/2018, therefore, the present applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly that the applicant is in custody since 26/12/2016, charge-sheet has already been filed, some of the witnesses have been examined, but they have not supported the case of the prosecution and co-accused Mohan Kumar has already been released on bail in MCRC No. 2581/2018 on 08/05/2018, without further commenting on merit 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 executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-  
**Judge**  
**Arvind Singh Chandel**