

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2639 of 2018

- Dinesh Kumar S/o Yogendra Aged About 22 Years R/o Village Bihrojpur, Post Shahgarh, District : Azamgarh, State Uttar Pradesh

---- Applicant

Versus

- State of Chhattisgarh Through P. S. Kotwali, Chowki- Bastar Distt. Bastar Chhattisgarh

---- Non-applicant

For Applicant	:	Shri Vikas A. Shrivastava, Advocate
For Non-applicant	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

18/05/2018

1. This is the first 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. 92/2017, registered at Police Station- Kotwali, Chowki, Bastar for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that the Applicant has not committed any offence and has been falsely implicated in this case. He further submits that the Applicant is in jail since 19.03.2017 and no case is made out against the Applicant.
3. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned Police Station i.e. Kotwali, District Bastar, 10 kg 300 gram Ganja has been seized from the possession of the Applicant.

4. Taking into consideration the totality of the circumstances and the fact that the quantity of seized Ganja; seizure witnesses have not supported the prosecution case and the applicant is in jail since 19.03.2017, hence for these reasons this Court is inclined to release the applicant on bail.
5. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on 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.
7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge