

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2721 of 2018

- Sambhu Dhruw, S/o Sundar Dhruw, Aged About 42 Years, R/o- Village Palsapali, Thana Pithora, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Pithora, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vikas Pradhan, Advocate.
For Respondent	:	Mr. Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

26/06/2018

1. This is the second bail application of this applicant. The first bail application of this applicant was dismissed as withdrawn on 20.2.2018 in MCRC No.7731/2017. This bail application has been 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.217/2017, registered at Police Station Pithora, District- Mahasamund, (C.G.) for the offence punishable under Section 20(b) of Narcotic Drugs Psychotropic Substances Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 20.11.2017. The trial against the applicant has commenced and all independent witnesses who have been examined, have not supported the case of prosecution, hence, it is prayed that applicant be released

on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. On a search made by the police personnel of PS-Pithora, District-Mahasamund, 10.8 kg ganja the narcotic substance was seized from the possession of this applicant. Hence, this case.
6. Perused the certified copies of the statement of independent witnesses filed along with the application, according to which the independent witnesses have not supported the prosecution case. Hence, looking to this development of things, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. 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