

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2726 of 2018**

Mohd. Vakil @ Golu, S/o. Mohd. Hafiz, Aged About 32 Years, R/o.- Behind K.G.N. Watch Centre, Gandhi Nagar, Kalibadi, P.S. Kotwali, Raipur, District- Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through- Police Station- City Kotwali, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Syed Imtiaz Ali, Advocate

For State/respondent : Mr. Neeraj Mehta, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**18/06/2018**

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.71/2018, registered at Police Station – City Kotwali, Raipur, District – Raipur (C.G.), for the offence punishable under Section 20 (B) of the Narcotic Drugs Psychotropic Substances Act.
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 05.03.2018. Charge-sheet has been filed after completion of

investigation and the trial of the case is likely to take sometime for its conclusion. Hence, 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. It is submitted that applicant has history of previous two cases, one under the provisions of Excise Act and one under the provisions of N.D.P.S. Act, hence, the applicant is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, on search made by the police personnel of police station – City Kotwali, Raipur, 4.5 Kg. of Ganja were recovered and seized from the possession of this applicant.
6. It has been submitted by the counsel for the applicant that he is on bail in the previous case of N.D.P.S. Act.
7. Considered on the submissions made and the contents of the case diary. Considering the entire material present in the case diary and taking into consideration this fact that the applicant is local resident of District Raipur and looking to the pendency of trial against the applicant and likelihood of delay in conclusion of trial, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram