

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2980 of 2018

- Krishna Kumar Dewangan S/o Bhola Ram Dewangan, Aged About 26 Years, R/o Barchhapara, Champa, P.S. Champa, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- District Magistrate, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant – Mr. Vivek Singhal, Advocate.

For Non-applicant/State – Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

19-06-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 21-01-2018 in connection with Crime No.21/2018 registered at P.S. - Champa, District - Janjgir-Champa, Chhattisgarh for the offence under Section 22(B) of N.D.P.S. Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 21-01-2018. No case is made out against him. The independent witnesses have been examined before the trial Court who had not supported the prosecution case. Hence, under these circumstances, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. On search made by police personnel of P.S. Champa, 80 bottles of Relax cough syrup containing codeine phosphate, the prohibited narcotic substance, were seized from the possession of this applicant and on that basis

the offence has been registered against him.

6. Considering on entire material present in the case diary and also looking to this fact that the independent witnesses have turned hostile before the trial Court, I am of this view that this applicant should be granted regular bail during pendency of the trial against him.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge