

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2884 of 2018**

Pavitra Behra S/o Mangaldas Behra Aged About 38 Years
Caste- Harijan, R/o Vyapari Guda, Christian Street, Police
Station Vyapari Guda, District- Koraput, Orissa

--- **Petitioner**

Versus

State of Chhattisgarh through- the Station House Officer,
Police Station Nagarnar, Jagdalpur, District : Bastar
(Jagdalpur), Chhattisgarh

--- **Respondent**

For the applicant	:	Mr. Rakesh Thakur, Advocate.
For the Respondent	:	Mrs. Madhunisha Singh, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.05.2018

1. This is Second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 73/2016 registered at Police Station Nagarnar, Distt. Bastar (C.G) for the offences punishable under Sections 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The first bail application was dismissed as withdrawn on 09.11.2016.
3. As per the prosecution case, on 27.4.2016 when the passenger Bus bearing Regn.No. C.G. 07-E/ 4433 was intercepted which was coming from Orissa to Jagdalpur, a bag containing 9 Kgs., of Ganja was seized. It is alleged that the applicant was travelling in the said bus and has kept the Ganja in the bag.
4. Learned counsel for the applicant submits that the applicant

is in jail since 27.4.2016 and the trial has not yet been concluded. He further submits that the recovery was not made in person from the applicant and he has been falsely implicated, therefore, he may be enlarged on bail.

5. Per contra, learned State Counsel opposes the bail application.
 6. Considering the fact that there is delay in conclusion of trial and the appellant is in jail since 27.4.2016 and further looking the nature of allegations and the quantity of cannabis allegedly seized from the applicant, I am inclined to allow this bail application.
 7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**