

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2889 of 2018

- Omprakash Sharma S/o Banshilal Sharma Aged About 40 Years R/o- Behind Navyug School, Heerapur, Post Office- Raipur, Police Station- Kabir Nagar, Raipur, District- Raipur, Chhattisgarh. Permanent Address- R/o- Village- Roja, Post Office And Police Station- Malta, District- Jhalawad (Rajsthan), District : Jhalawar, Rajasthan

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station- Kabir Nagar, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

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 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.115/2017 registered at Police Station- Kabir Nagar, District – Raipur(C.G.) for the offence punishable under Sections 18(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 1.12.2017. He has no criminal antecedent. No case is made out against him according to the material present in the charge-sheet. The case is before the trial Court and trial is likely to take some time before its conclusion. Hence, it is prayed that he may 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 the date of incident on 1.12.2017 on a search made by the police personnel of PS-Kabir Nagar, District-Raipur, 10.3 kg doda (poppy straw) was found and seized from the possession of this applicant. Hence, this case.
6. Looking to this fact that the applicant has no criminal antecedent and the trial is likely to take some time before its conclusion, for this reason, 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