

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2918 of 2018

- Prem Kumar (Wrongly Mentioned As Prem Lal In The Impugned Order)
Sahu @ Pappu Sahu S/o Mathura Sahu Aged About 21 Years R/o New Colony Patraghar, House No. B/16 Police Station Ram Nagar, Anuppur, District Anuppur M. P., Present Address- Rikokala, Near Atal Chowk, Police Station Rajadevri, District Balodabazar- Bhatapara Chhattisgarh Present Address- Shivam Viohar Amlidih, Police Station New Rajendra Nagar, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station New Rajendra Nagar, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. Dharmesh Shrivastava, Advocate.

For Respondent : Mr. Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

21/06/2018

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.227/2017 registered at Police Station- New Rajendra Nagar, District – Raipur(C.G.) for the offence punishable under Sections 20(ii)(C) of the Narcotic Drugs and 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 22.12.2017. After completion of investigation, charge-sheet has been filed. No case is made out against this applicant. 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 a search made by the police personnel of PS-New Rajendra Nagar, District-Raipur, in the car bearing registration No.CG-04-HA-2423 occupied by this applicant, 10.2 kg ganja was seized from the said car. Hence, this case.
6. As the charge-sheet is now before the trial Court and the trial is likely to take some time before its conclusion. Applicant appears to be resident of District-Raipur, 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