

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2979 of 2018

- Prakash Putel S/o Gajanan Putel, Aged About 32 Years, R/o-Badabandh, Police Station- Banwada, District- Balangir (Orissa), District : Balangir, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- GRP Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Amit Singh, Advocate.

For Non-applicant/State – Shri Anant Bajpai, 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 by the applicant for grant of regular bail. The applicant has been arrested on 03-12-2017 in connection with Crime No.250/2017 registered at P.S. GRP Bilaspur, District- Bilaspur, Chhattisgarh for the offence under Section 20(B)(ii-B) of the NDPS 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 03-12-2017. The case against this applicant has no progress after filing of the charge sheet. No case is made out against this applicant. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant was in exclusive possession of the contraband, hence, there is strong case against him. Also, he is resident of Odisha State. Hence, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. 12 kg. Ganja was recovered and seized from the possession of this applicant while he was waiting for train in Bilaspur railway station. Hence, this case.

6. Considered on the material present in the case diary. As charge sheet has been filed and trial is likely to take some time before its conclusion and also taking into consideration other facts of the case, I am of this view that the applicant should be granted regular bail.

7. Consequently, this application filed under Section 439 of the Cr.P.C. by the applicant 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 local 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