

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3142 of 2018**

Pukhraj Singh S/o Beer Singh Chandel Aged About 47 Years R/o
Tulsipur, Near Railway Fatak, Ward No. 18, Rajnandgaon, Tahsil
And District Rajnandgaon Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Purani Bhilai District Durg Chhattisgarh

---- Respondent

For applicant - Shri T.K. Jha, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****27/06/2018**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.526/2016 registered in Police Station Purani Bhilai, Durg District Durg (C.G.) for offence punishable under sections 20(ख)(ii)(ग) of Narcotic Drugs and Psychotropic Substance Act.
2. As per the prosecution case, on 8/12/2016 on an information received by the police about illegal possession of contraband ganja raid was conducted by the police in the premises of one Rajesh Suryawanshi and 13.5 kgs of cannabis were recovered from them and on enquiry it was disclosed that they have purchased it from present applicant. Therefore, the police reached Rajnandgaon where they came to know that the applicant came down to Khokha Bhilai. The police team rushed to Khoka Bhilai whereby they caught hold of Pukhraj and Chaitram with contraband Ganja kept in Maruti Alto Car bearing Regn. No. CG 08 AA 8765 and from the said car 56.440 kgs of ganja was recovered. Subsequently, on investigation it revealed that Pukhraj and Chaitram they have purchased it

from one Sandeep Tiwari of Tulsipur. Thereafter, Sandeep Tiwari and other co-accused were arrested.

3. Learned counsel for the applicant submits that Rakesh Agrawal one of the co-accused has been enlarged on bail by this court on 25/06/2018 vide M.Cr.C. No.4190 of 2018 on the ground that IO has not turned up despite issuance of summons. He submits that the applicant is in jail since 8/12/2016, therefore looking to the period of custody the applicant may be released on bail.

4. Learned State counsel is not able to dispute the fact that other co-accused has been granted bail on the ground that IO has not turned up.

5. Taking into such fact that despite issuance of arrest warrant IO has not turned up and it is been stated that IO still has not been examined and has not turned up which is also not disputed by the State, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE