

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3256 of 2018**

Rajkumar Nishad S/o Vasudev Nishad Aged About 26 Years R/o- Atal Awas,
Block No. 12, Room No. 3, Police Station- Jamul, District- Durg,
Chhattisgarh., District : Durg, Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For the Applicant : Shri Sanjay Agrawal, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.07.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 72 of 2018, registered at Police Station Bemetara, District Bemetara, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 06.02.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident, on a search made by the police personnel of P.S. Bemetara, District Bemetara, 6 kg of ganja (narcotic substance) was recovered and seized from the possession of this applicant. Hence, this case.
6. Considered the material present in the case-diary and the fact that the applicant is a local resident of P.S. Bemetara, District Bemetara and there shall be no difficulty in his availability during trial. The trial of the case is likely to take some time for its final disposal, I am of the view that this is a fit case where the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on furnishing a personal bond in the 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