

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7353 of 2017**

Santosh, S/o. Samaru Ram Sinha, Aged About 33 Years, R/o. Harripara,
Ward No. 10, Nawagarh, District – Bemetara, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	: Mr. K.A. Ansari, Sr. Advocate with Mr. Vipin Singh, Advocate
For Respondent/State	: Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**15/01/2018**

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.182/2017, registered at Police Station – Nawagarh, District – Bemetara (C.G.) for the offence punishable under Section 20 (b) of Narcotic Drugs Psychotropic Substances Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case and he is in jail since 07.10.2017. No offence is made out against him on the basis of the material available on record. The applicant is ready to abide all the condition imposed while releasing him on bail. Therefore, it is prayed that the applicant may 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. It is submitted that the applicant has criminal antecedents of having four cases under Indian Penal Code and one case of offence under N.D.P.S. Act, therefore, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case of the prosecution in brief is that on search being made by the police personnel of Police Station Navagarh, 1.7 Kg. of Ganja was recovered and seized from the house of the applicant, on the basis of which, the case has been registered against him.
6. Considered the submissions made and the contents of the case diary. After considering all the facts and circumstances of the case, this Court is of the opinion that present is a fit case, in which, 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 his 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge