

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.3438 of 2018**

Ghateshwer @ Ghateshor Bela, age about 22 years, S/o Somu Bela, R/o Sulabh Complex Media Chowk, Kumharpara, P.S. Bodhghat, Jagdalpur, Bastar, District (Revenue and Civil) Jagdalpur, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through Station House Officer, Police Station Ganj, District Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri R.K. Kesharwani, Advocate
For Respondent	:	Shri Ramakant Pandey, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****10.5.2018**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.194 of 2017 registered at Police Station Ganj, District Raipur for offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act. The first bail application (M.Cr.C. No.776 of 2018) was dismissed on 27.4.2018 for want of prosecution.
2. Case of the prosecution, in brief, is that on 18.5.2017, on the basis of information received from an informant, police reached the spot and seized 17 Kgs. of Ganja from the Applicant.
3. Learned Counsel appearing for the Applicant submits that the Applicant has falsely been implicated. He is innocent. He is in custody since 18.5.2017, i.e. for about 1 year. Charge-sheet has

already been filed. Seizure witnesses have not supported the case of the prosecution. Trial will take a long time. Therefore, the Applicant may be released on bail.

4. Learned Counsel appearing for the Respondent/State opposes the bail application.
5. I have heard Learned Counsel appearing for the parties and perused the entire material available with due care.
6. Considering the facts and circumstances of the case, particularly that seizure witnesses have not supported the case of the prosecution, charge-sheet has been filed, the Applicant is in custody since 18.5.2017, trial is likely to take time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one local solvent surety in the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
JUDGE