

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3784 of 2018**

Mahadev Patro S/o Murli Patro Aged About 30 Years R/o- Village
Tilai Poda, P.S. Baliguda, District- Kondhmal (Orissa).

---- Applicant

Versus

State Of Chhattisgarh Through- Aarakshi Kendra G.R.P.
Bilaspur, District- Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Nitansh Kumar Jaiswal, Advocate
For the State	:	Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**05/09/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No. 213/2017 registered at Police Station GRP Bilaspur, District Bilaspur (C.G.) for the offence punishable under Section 20(B) of NDPS Act.
3. Case of the prosecution, in brief is that on 24/10/2017 at about 19.55 hours between platform No. 4 & 5 Railway Station Bilaspur, 6 Kgs. Cannabis was seized from the possession of the applicant.
4. Learned counsel for the applicant submits that applicant is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the above mentioned facts and circumstances of the case and as per the statement of the Govt. Advocate there is no record available

regarding previous antecedents of the applicant and he is resident of village Tilai Poda, Distt. Kondhmal, State of Orissa, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.

7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde