

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4105 of 2018

Dinesh Das S/o Khelandas Manikpuri Aged About 23 Years R/o Rengakhar
Khurd, Police Station Kawardha, District- Kabirdham, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Kawardha, District- Kabirdham, Chhattisgarh

--- Respondent

For Applicant	:	Shri Dharmesh Shrivastava, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, PL

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

31/08/2018

Heard.

This is second application for grant of bail. First application was dismissed as withdrawn.

1. The applicant has been arrested in connection with Crime No.383 of 2017 registered at Police Station- Kawardha, District Kabirdham (CG) for the alleged commission of offence under Section 20-B of the Narcotics Drugs & Psychotropic Substances Act, 1985.
2. Case of the prosecution is that from the possession of the applicant, 6.5 kg of ganja was recovered.
3. Learned counsel for the applicant submits that the applicant has not committed any offence. Further submission is that the applicant is in jail since 27.11.2017 and trial has not been concluded. Lastly, it is submitted that the seizure witnesses have been examined and all the witnesses of seizure have turned hostile. Therefore, at this stage, the applicant may be granted bail.
4. On the other hand, learned counsel for the State, opposing the bail application by submitting that looking to the quantity of ganja and further Investigating Officer is still not examined, therefore, the applicant may not be

granted bail.

5. Having considered the submission of learned counsel for the parties, particularly taking into consideration the quantity of ganja, submission that all the witnesses of seizure have turned hostile and the applicant is in jail since 27.11.2017 and he is not likely to abscond or tamper with the prosecution witnesses, the application is allowed.

6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:

(i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Manindra Mohan Shrivastava)
Judge