

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4246 of 2018

- Raju Kesi S/o Bhim Kesi, Aged About 18 Years R/o Podibahar Kosabadi (Wrongly Mentioned As Atal Awas - 105, Ratakhari Korba), Police Station - Kotwali, Tahsil And District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. Dharmesh Srivastava, Advocate.

For Respondent : Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

17/07/2018

1. This is the first bail application of the applicant has been 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.122/2018, registered at Police Station Kotwali, District-Korba, (C.G.) for the offence punishable under Section 20(b) of Narcotic Drugs Psychotropic Substances Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 26.02.2017. After completion of investigation, charge-sheet has been filed. The other co-accused person has also been granted regular bail by this Court, hence, it is prayed that applicant be released on regular

bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. On the date of incident on 26.2.2018 on a search made by the police personnel of PS-Kotwali, District-Korba, applicant was found in possession of 1.2 kg ganja the narcotic substance, which was seized and case was registered against this applicant. Hence, this case.
6. After considering on all the material present in the case diary, the applicant is the local resident of District-Korba. Similarly placed co-accused has been granted regular bail, further, the trial against his is likely to take some time before its conclusion, for this reason, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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