

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4311 of 2018

- Motilal Bhoi S/o Sadhuran Bhoi, Aged About 35 Years, R/o- Village Chamsed, P.S. Kantamal, District- Boudh (Orissa), District : Boudh, Orissa

---- Applicant

Versus

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

----Non-applicant

For Applicant – Shri Nitansh Kumar Jaiswal, Advocate.

For Non-applicant/State –Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 24-10-2017 in connection with Crime No.214/2017 registered at P.S. - G.R.P. Bilaspur, District- Bilaspur, Chhattisgarh for the offence under Section 20(B) of N.D.P.S. Act, 1985.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 24-10-2017. No case is made out against him. The trial against this applicant is still not completed, hence, looking to long delay in conclusion of the trial, it is prayed that the applicant may be released on regular bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that out of total 10 witnesses 7 witnesses have been examined and only three witnesses are remaining to be examined, hence, as there is no delay in trial, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. 4 kg. Ganja has been recovered and seized from the possession of this

applicant by police personnel of Police Station G.R.P. Bilaspur. Hence, this case.

6. Considering on the material present in the case diary looking to this fact that the trial against this applicant is getting prolonged, I am inclined to grant regular bail to the applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge