

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4592 of 2018**

Ramu Lohar, S/o. Mogiya Lohar @ Bhagu, Aged About 40 Years, R/o.- Village And Post Kalka, Police Station Panjour, Tahsil And District- Pran Panchkula (Haryana).

---- Applicant**Versus**

State Of Chhattisgarh, Through- Station House Officer, Police Station Telibandha, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C.R. Sahu, Advocate
For Respondent	:	Mr. Neeraj Mehta, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****18/07/2018**

1. This is the first 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.233/2017, registered at Police Station- Telibandha, Raipur, District – Raipur (C.G.) for the offence punishable under Section 20(B) of N.D.P.S. Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 14.06.2017. No case is made out against the applicant on the basis of the material present on record. So far only 8 witnesses have been examined in the case against this applicant and still further 8 witnesses are remaining to be examined. Hence, looking to the delay in conclusion of trial, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. As per the prosecution case 11 Kg. Ganja was recovered and seized from the possession of this applicant. Hence, this case.
6. Considered the submissions made and the contents of the case diary. As the trial against this applicant is getting prolonged and he is in jail since more than one year, hence, looking to the delay in conclusion of trial, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge