

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4664 of 2018

- Shiv Kumar Sahu S/o Manthir Sahu, Aged About 38 Years, R/o- Village Sirsakala, Thana And Tahsil- Bhilai-3, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Komakhan, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

----Non-applicant

For Applicant – Shri Anil Gulati, Advocate on behalf of Shri Vikash Pradhan, Advocate.

For Non-applicant/State – Shri N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-07-2018

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 30-05-2018 in connection with Crime No.62/2018 registered at P.S. - Komakhan, District- Mahasamund, Chhattisgarh for the offence under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 30-05-2018. No case is made out against him. The applicant is local resident of District Durg and he is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. On search made by police personnel of police station Komakhan, District Mahasamund this applicant and one co-accused were found in

possession of 6 kg. Ganja while they were traveling on a motorcycle, hence, seizure was made and this case has been registered against the applicant.

6. Considered on the entire material present in the case diary, no purpose would be served if the applicant is kept in detention till conclusion of the trial, the applicant is local resident of District Durg, hence, for these reasons, I am of this view that the application deserves to be allowed.

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 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