

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4522 of 2018**

Naveen Goswami, S/o. Santosh Goswami, Aged About 25 Years, R/o.- Ward No. 02, Pikari, District- Bemetara, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. Vivek Singhal, Advocate
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

16/07/2018

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. 741/2017, registered at Police Station- Bemetara, District – Bemetara (C.G.) for the offence punishable under Section 20-B of the 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 19.11.2017. No case is made out against him on the basis of the material present in the charge-sheet. The applicant is local resident of District Bemetara and is ready to abide by all the conditions imposed upon him while enlarging him on bail. Hence, 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. On a search made by the police personnel of Police Station – Bemetara, District – Bemetara total 5 Kg. of 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. Considering on all the material present in the charge-sheet and further taking into consideration this fact that this applicant is resident of District Bemetara, no purpose would be served, if he is kept in detention till the conclusion of trial, hence for this reason, 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