

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4922 of 2018**

Umashankar Gupta, S/o. Tejram Gupta, Aged About 40 Years, Occupation Agriculturist/Labour, R/o Village Kudhari Bahirkela, Tahsil And Police Station Gharghoda, District Raipur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station Gharghoda, District Raigarh Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Hemant Kumar Patel, Advocate
For Respondent	:	Mr. Ashok Swarnakar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****03/08/2018**

1. This is the first bail applications 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.152/2018, registered at Police Station- Gharghoda, District – Raigarh (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 22.05.2018. No case is made out against him according to the material present in the charge-sheet. The applicant is local resident of District - Raigarh. 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 search made by the police personnel of police station – Gharghoda, District - Raigarh, 5.200 Kg. Ganja was recovered and seized from the possession of the applicant in his place of residence. Hence this case.
6. Considered on the submissions made and the contents of the case diary. As it appears that there is no requirement of any custodial interrogation and no purpose would be served, if the, applicant is kept in detention continuously and further the the applicant is local resident of District Raigarh, 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