

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4807 of 2018**

Kanhaiya Ratre S/o Moko Prasad Ratre Aged About 39 Years R/o Village Godam, Police Station Sarangarh, District Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Sarsinwa, District Balodabazar-Bhatapara, Chhattisgarh, District : Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sangeet Kumar Kushwaha, Advocate.
For the Respondent/State	:	Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.08.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 169 of 2018, registered at Police Station Sarsinwa, District Balodabazar-Bhatapara, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 16.06.2018 and has been falsely implicated in this case. No case is made out against the applicants on the basis of the material placed before the Court by the prosecution. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident, on a search made by the police personnel of P.S. Sarsinwa, District Balodabazar-Bhatapara, 3 kg of ganja (narcotic substance) was found in possession of the applicant while he was travelling on a scooty. Hence, this case.
6. Considering the material present in the case-diary, the applicant is a local resident of District Balodabazar-Bhatapara and there shall be no difficulty in his availability during trial and the trial of the case is likely to take some time for its final disposal, the application deserves to be allowed.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge