

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5017 of 2018

- Premchand Patla S/o John Patla Aged About 35 Years R/o Village Gongala P. S. And District Malkangiri (Odisha)., District : Malkangiri, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Darbha District Bastar, Chhattisgarh., District : Bastar(Jagdarpur), Chhattisgarh

----Non-applicant

For Applicant – Mr. Pravin Kumar Tulsyan, Advocate.

For Non-applicant/State – Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-08-2018

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 28-11-2017 in connection with Crime No.77/2017 registered at P.S. - Darbha District Bastar, Chhattisgarh for the offence under Section 20(b) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 28-11-2017. No case is made out against him, the trial is still pending. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant is resident of Odisha State, in case he is released on bail, he may not be available for trial which may hamper the trial of the case, hence, the application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.

5. 8 kg. Ganja was recovered and seized from the possession of this applicant while he was traveling in a bus. Hence, this case.

6. After considering on the material present in the case diary and looking to the pendency of the case against this applicant and duration of his detention in jail, I feel inclined to grant regular bail to this applicant.

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