

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5146 of 2018

- Gango Kashyap S/o Dasha Kashyap Aged About 28 Years, Caste Madiya, R/o Ermur, Dhurwapara, Police Station Bhardum District Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Frezapur, Civil And Revenue, District Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

----Non-applicant

For Applicant – Shri Punit Ruparel, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-08-2018

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 16-12-2016 in connection with Crime No.197/2016 registered at P.S. - Frezapur, District Bastar, Chhattisgarh for the offence under Section 20-B of NDPS 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 16-12-2016. No case is made out against him. The trial against the applicant is pending since more than 1 and ½ years and still the trial against him is not concluded, because of which he is languishing in jail without there being any fault on his part. 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. Seizure of 12 kg. Ganja has been made from the possession of this applicant by police personnel of P.S. Frezapur, District Bastar. Hence, this

case.

6. Considering on the entire material present in the case diary and the fact that the trial is getting delayed, 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