

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5145 of 2018

- Satish Kumar Pankaj S/o Ramchand Pankaj Aged About 22 Years R/o Village- Birra, District- Janjgir-Champa, Chhattisgarh, Present Address- Shivam Vihar Amlidih, Police Station- New Rajendra Nagar, Raipur, District- Raipur, Chhattisgarh....(In Jail), District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- New Rajendra Nagar, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. Dharmesh Srivastava, Advocate.

For Respondent : Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

10/08/2018

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.227/2017 registered at Police Station– New Rajendra Nagar, District– Raipur(C.G.) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substances Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 22.12.2017. No case is made out against him. One of search and

seizure witness has been examined before the trial Court and has not supported the prosecution and the case against this applicant is still pending and there is all likelihood that it will take some time before its conclusion. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. 49.4 kg ganja the narcotic substance has been seized from the rented house in which applicant and one co-accused Prem Kumar Sahu were residing. Same seizure of 10.2 kg ganja has been made from co-accused also. Hence, this case.
6. Considered the entire material present in the case diary, and the case is presently before the trial Court, this applicant is local resident of District-Raipur. For these reasons, I am of this view that this is a fit case where applicant should be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge