

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5630 of 2018**

- Prabhat @ Deepak Patel S/o Indrabhan Patel R/O- Ward No. 2, Ramnagar, Thana Ramnagar, District- Satna, M.P.

---- Applicant**Versus**

- State Of Chhattisgarh Through- Police Station Nagarnaar, District- Bastar, Chhattisgarh

---- Respondent

For Applicant	:	Shri Vikash A. Shrivastava, Advocate
For Respondent/State	:	Shri SK Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****13/08/2018**

1. This is the Third Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 06.02.2016 in connection with Crime No.18/2016 registered at P.S. Nagarnaar, Distt. Bastar (C.G) for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The first bail application M.Cr.C. No.4911 of 2016 was dismissed on 24.08.2016 and the second bail application M.Cr.C. No.532 of 2018 was dismissed on 18.01.2018.
3. As per the prosecution case, on 06.02.2016 the applicant who was traveling in

a Bus was found in possession of 22 Kgs., of Ganja along-with other co-accused.

4. Learned counsel for the applicant submits that the applicant is in jail since 06.02.2016 and the trial has yet not been concluded. He further submits that from the possession of the applicant only 9 K.G. of cannabis was alleged to have been recovered and the seizure witness have also not supported the case of the prosecution, therefore, the applicant may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the fact that the appellant is in jail since 06.02.2016 and the time period suffered by the appellant in jail and further taking into the quantity of the cannabis so seized, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu