

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5506 of 2018

- Anil Singh Thakur S/o Ratan Singh Thakur, Aged About 26 Years, R/o- House No. D-286, Village Agaryala, Thana- Shergard, District- Mathura, (U.P.), District : Mathura, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Sankara, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

----Non-applicant

For Applicant – Mr. Vikash Pradhan, Advocate.

For Non-applicant/State – Ms.Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-08-2018

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 15-07-2017 in connection with Crime No.110/2017 registered at P.S. - Sankara, District- Mahasamund, Chhattisgarh for the offence under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 15-07-2017. No case is made out against him. Similarly placed co-accused persons have been granted bail by this Court in MCRC No.5235/2018 vide order dated 14-08-2018. Hence, it is prayed that the applicant may also be released on regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that huge quantity of contraband has been seized from possession of this applicant along with co-accused persons. Hence, the application may be rejected.

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

5. On search made by police personnel of P.S. Sankara, District-Mahasamund 104.8 kg. Ganja was found in possession of this applicant and co-accused persons who were traveling in a car. Hence, this case.

6. Considered on the material present in the case diary and also considered this fact that similarly placed co-accused persons have been granted bail by this Court and that independent witnesses of search and seizure have not supported the prosecution case, hence, under these circumstances, I am of this opinion that this applicant should be granted regular bail.

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