

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5656 of 2018**

Lal Bhadur Panika S/o Shivsharn Panika, Aged About 33 Years
 R/o- Balangi, Chowki- Balangi, Police Station- Raghunathnagar,
 District- Balrampur-Ramanujganj, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- Police Station-
 Raghunathnagar, District- Balrampur-Ramanujganj,
 Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Akath Kumar Yadav, Advocate
For the State	:	Shri Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**29/08/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 32/2018 registered at Police Station Raghunathnagar, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 20(B) of NDPS Act.
3. Case of the prosecution, in brief is that on 16/05/2018 at about 09.20 a.m. near the Mansuriya Nala Bhune Road Tuguwan, Sub Inspector Sikandar Kurre, Police Station Raghunathnagar, District Balrampur-Ramanujganj seized 4 Kg. 660 grams cannabis from the applicant.
4. Learned counsel for the applicant submits that applicant is innocent and falsely implicated in the present case, therefore, he shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the above mentioned facts and circumstances of the case and as per the statement of the Govt. Advocate there is no antecedent against the applicant, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.
7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed. It is directed that if the applicant furnishes one solvent surety for a sum of Rs. 30,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge