

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.5932 of 2018**

- Bablu Mishra S/o Gorakh Nath Mishra Aged About 25 Years
Caste Bramhan, R/o Village And Post Paharpur, P. S. Gadhwani,
District Bhojpur Aara Bihar

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Nagarnar,
Jagdalpur District Bastar Chhattisgarh

---- Respondent

For Applicant	: Shri RK Jain, Advocate
For respondent/State	: Shri Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****19.9.2018**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 21.01.2017 in connection with Crime No.09/2017, registered at Police Station Nagarnar, Jagdalpur Distt. Bastar (CG) for the offence punishable under Section 20(b) (ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. As per the prosecution case, on 21.01.2017 at about 2.00 pm one Rajdhani Bus was raided by the Police authorities and they found 5 kg and 200 gms of contraband article Ganja in a trolley bag which was in possession of the the applicant. Subsequently, case was registered under the above mentioned section and the applicant was arrested.

3. Learned counsel for the applicant submits that the applicant is in jail since 21.01.2017, about one year and eight months is passed but there is no sign of conclusion of the trial. Quantity which seized is 5.2 kg and the applicant is suffering jail term of what may be awarded after the trial. He further submits that the matter is fixed for recording of the evidence on 05.11.2018 before the trial Court therefore, he may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel for the parties and perused the case diary.

6. Looking to the detention period of the applicant and the looking to the fact that the trial will take time to conclude, it is a fit case to enlarge bail to the applicant.

7. Accordingly, application filed under Section 439 of the CrPC is 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 local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Sd/-

(Ram Prasanna Sharma)

JUDGE