

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6042 of 2018

- Nand Kumar Dubey S/o Shri Dwarika Dubey, Aged About 61 Years, R/o- Balpur, Police Station Sarsiva, District- Balodabazar Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House In-Charge, Police Station Sarsiva, District- Balodabazar Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

----Non-applicant

For Applicant – Ms. Supriya Upasane, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

25-09-2018

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 15-06-2018 in connection with Crime No.169/18 registered at P.S. - Sarsiva, District- Balodabazar Bhatapara, Chhattisgarh for the offence under Section 20(B) of the N.D.P.S. 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 15-06-2018. Similarly placed co-accused Kanhaiya Ratre has been granted bail by this Court and another co-accused Bignesh Anant has been granted bail by coordinate Bench of this Court. Hence, it is prayed that this applicant may also be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for both the parties and perused the case diary.
5. On search a made by the police personnel of P.S. Sarsiva, Distt. Balodabazar Bhatapara 4 kg. Ganja was recovered and seized from the possession of this applicant. Hence, this case.

6. After considering on the entire material present in the case diary and also considering that similarly placed co-accused have been granted bail by this Court as well as coordinate Bench of this Court, I feel inclined to allow this application.

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