

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6785 of 2018**

Krishna Singh S/o Sahdev Singh Aged About 52 Years Caste -
 Kanwar, R/o - Amgasi, P.S. - Lakhanpur, District - Surajpur,
 Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station -
 Ramanujnagar, District - Surajpur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sanjay Pathak, Advocate appearing on behalf of Shri Awadh Tripathi, Advocate
For the State	:	Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**11/10/2018**

1. This is the Second Bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court. First bail application is dismissed as withdrawn by the equal co-ordinate Bench of this Court on 03/07/2018.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No.50/2018 registered at Police Station Ramanujnagar, District Surajpur (C.G.) for the offence punishable under Section 20(b) of NDPS Act.
3. Case of the prosecution, in brief is that on 20/03/2018 at Mahangai Bazar Road, ASI Chitrarekha Sahu, Police Station Ramanujnagar seized 2 Kgs. Cannabis from the possession of 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. He further submits that there is no antecedents against the applicant.

6. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the trial will take its own time, 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. 25,000/- 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