

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6260 of 2018

- Pancham Ram Chamar S/o Baljor Ram Chamar, Aged About 41 Years, R/o House No. 81-A Nilam Bhatha Road, AC Nagar Police Station And District N.I.T. Faridabad, Haryana., District : Faridabad, Haryana

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Keshkal, District Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

----Non-applicant

For Applicant – Smt. Kiran Jain, Advocate.

For Non-applicant/State –Shri N.K. Mehta Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-10-2018

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 10-12-2017 in connection with Crime No.162/2017 registered at P.S. - Keshkal, District Kondagaon, Chhattisgarh for the offence under Section 20-(ii)B of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 10-12-2017. No case is made out against the applicant. The independent witnesses of search and seizure have not supported the prosecution case in the trial. Similarly placed co-accused has been granted bail by this Court in MCRC No.4139/2018 vide order dated 23-07-2018. Hence, it is prayed that this applicant may also be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that a huge quantity of contraband has been seized in this case, hence, the application may be rejected.

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

5. As per the prosecution case, the police personnel of police station Keshkal stopped and searched the vehicle in which the applicant and co-accused persons were traveling and 107.630 kg. Ganja was recovered and seized from the possession of this applicant and co-accused persons jointly.

6. After due consideration on the material present in the case diary and also for the reason that similarly placed co-accused person has been granted bail by 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