

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6780 of 2018**

Pardeshi Ram, S/o. Pachkoud Sahu, Aged About 40 Years, R/o.- Bade Birejhar, Police Station- Bori, District- Durg, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Police Station Ghumka, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mrs. Itu Ranu Mukharjee, Advocate
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****22/10/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.39/2018, registered at Police Station- Ghumka, District – Rajnandgaon (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act and Section 130 (3)/177, 146/196 of the Motor Vehicle Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 10.10.2018. No case is made out against him according to the material present in the charge-sheet. Similarly placed co-accused has been enlarged on bail by this Court in M.Cr.C. No.5125/2018 vide order dated 08.08.2018. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. A joint seizure of 10 Kg. Ganja was made from the possession of this applicant and co-accused person by police personnel of police station Ghumka, District – Rajnandgaon (C.G.) on the date of incident.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present on record, the co-accused has been enlarged on bail by this Court and further taking into consideration that now the case is before the trial Court, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge