

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C. No. 4374 of 2017**

- Rahul Sharma S/o Ramkishan Sharma, Aged About 24 Years  
R/o House No. 71 D, Mangilal Kamred, Ramchandrapura,  
Chawni, District Kota, Rajasthan., Rajasthan

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Police Station Mainpur,  
Gariyaband, District Gariyaband, Chhattisgarh., Chhattisgarh

**---- Respondent**

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For the Applicant : Shri Yogesh Pandey,  
Advocate.

For the Respondent/State : Shri Wasim Miyan, PL.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**15.01.2018**

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. 19/2017, registered at Police Station – Mainpur,

Gariyaband, District –Gariyaband (C.G), for the offence under Section 20 (ii) (B) NDPS Act.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 19.03.2017. The case is before the trial Court and so far only 3 - 4 witnesses have been examined out of the total 11 witnesses. The trial is likely to take some time for its completion and the applicant is ready to abide by all the conditions which may be imposed while granting bail to the applicant. Hence, the applicant prays for grant of bail.
3. Learned counsel for the State opposes the bail application and submits that the applicant is a resident of another State of Rajasthan, if he is granted bail his appearance before the trial Court would be affected and that will affect the trial, hence, the applicant is not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident the applicant and two other co-accused persons were standing in the bus stand of Mainpur, when the police personnel of PS- Mainpur, searched and seized 05 kg ganja, the narcotics substance from the possession of the applicant, therefore, the case registered against him.
6. Considering the submissions made by learned counsel, contents of the case diary and taking into consideration that the proceedings of the trial against the applicant is taking time, therefore, I am of the view that it is a fit case where the applicant is entitled for grant of bail.

7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. 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 local surety, not in cash in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

**Sd/-**

**(Rajendra Chandra Singh Samant)**

Judge

Jamal