

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6756 of 2018**

- Satish Kumar Pradhan S/o Prabodh Kumar Pradhan Aged About 30 Years R/o Kunjalipara, P. S. Town, Tahsil And District Sambalpur Odisha

---- Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Tarbahar, District Bilaspur Chhattisgarh

---- Respondent

For Applicant	:	Shri Rajeev Kumar Dubey, advocate
For Respondent/State	:	Shri RK Jaiswal, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****25/09/2018**

1. This is second bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 15-12-2016 in connection with Crime No. 392 of 2016 registered at Police Station Tarbahar, District Bilaspur (CG), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotric Substance Act.
2. The First Bail Application was dismissed on 20.03.2017 vide M.Cr.C. No.1457 of 2017.
3. Case of the prosecution, in brief, is that on 15-12-2016 on information being received that the applicant was carrying cannabis in the car, the car was

intercepted and from the said car 55 kgs of cannabis were recovered and thereby the aforesaid offence was committed.

4. Learned counsel for the applicant submits that after the statement of the accused on 02.05.2018, again application was filed by the prosecution under Section 311 of the Cr.P.C., which was allowed and again the case has been reopened and till date no further evidence has been led by the prosecution and the applicant is in jail since 15.12.2016, therefore, he may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perused the order-sheet dated 02.05.2018, 09.05.2018 and 10.05.2018, which shows that after closure of the statement of the prosecution witnesses against the application to re-examine the witnesses is allowed. In view of this under the changed circumstances and also considering the fact that the applicant is in jail since 15.12.2016, I am inclined to release the application on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu