

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6779 of 2018**

Vikram Behara S/o Jaylal Behara Aged About 36 Years R/o- Village Kutela Thana Sarayipali District Mahasamund Chhattisgarh At Present R/o Atal Aawas Saraipali Thana And Tahsil Saraipali District Mahasamund Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer Police Station Saraipali District Mahasamund Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Vikas Pradhan, Advocate
For the State	:	Shri Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

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

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No.268/2018 registered at Police Station Saraipali, District Mahasamund (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.
3. Case of the prosecution, in brief is that on 19/08/2018 near Saraipali chowk, Pitambar Pradhan, Assistant Sub Inspector posted at Police Station, Saraipali seized 5 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

Kamde