

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7185 of 2018

Belsur Pandaiya S/o Belsur Lingaiya Aged About 32 Years Cast
Kondareddi, R/o Village Kopatuti, Tahsil Chitrakonda, District
Malkangiri Odisha, District : Malkangiri *, Orissa

---- Applicant

Versus

State of Chhattisgarh Through Police Station Nagarnar, Jagdalpur,
District Bastar Chhattisgarh, District : Bastar(Jagdalpur),
Chhattisgarh

---- Respondent

For Applicant : Mr. Rajesh Jain, Advocate
For Respondent : Mr. Neeraj Sharma, Govt.Advocate

Hon'ble Smt. Justice Vimla Singh Kapoor.

Order On Board

17/12/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicant who has been arrested in connection with Crime No. 06/2016 registered at Police Station Nagarnar, Jagdalpur District Bastar (C.G.) for the offence punishable under Section 20-B of Narcotics Drugs and Psychotropic Substance Act, 1985.
2. As per prosecution case, 40 KG Ganja was seized from the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He submits that the seizure witness have not supported the case of the prosecution and he is in jail since 18.01.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the fact that the applicant is in jail since 18.01.2016 i.e. about 2 years, and also keeping in view the quantity of Ganja in his possession, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. 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.

Sd/-

(Vimla Singh Kapoor)
V. Judge

Santosh