

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7505 of 2018**

Ishwar Patel @ Kenda, S/o. Jugeshwar Patel, Aged About 40 Years, R/o. Hrishankar Road, Tallipara, P.S. Khaprakhol, District Balangi (Odisha), At Present Tifra, Near Kali Mandir, Police Station Sirgitti, District - Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station Chakarbhatha, District - Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Rajeev Kumar Dubey, Advocate
 For Respondent : Mr. Anant Bajpai, P.L..

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****14/11/2018**

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.397/2017, registered at Police Station- Chakarbhatha, District – Bilaspur (C.G.) for the offence punishable under Section 20 (B) (ii-B) of N.D.P.S. Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The applicant is in jail since 09.09.2017 and the trial is still not completed. The applicant is ready to abide by all the conditions as imposed for grant of bail. 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. 11.330 Kg. Ganja has been seized from the possession of this applicant by the police personnel of Police Station – Chakarbhatha, District- Bilaspur (C.G.) while he was travelling in a Car along with other co-accused person. Hence, this case.
6. Considered on the submission made and the contents of the case diary. Considering the fact that almost one year has passed and the trial against the applicant is still not concluded and the applicant is local resident of District – Bilaspur, hence for this reason, 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 tomorrow.

Sd/-
(Rajendra Chandra Singh Samant)
Judge