

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7441 of 2018

- Irshad S/o Akbal Sah, Aged About 46 Years, R/o Kauhadi, Police Station- Baskhari, District- Ambedkar Nagar, Uttar Pradesh., District : Ambedkar Nagar, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Kondagaon, District- Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

----Non-applicant

For Applicant – Shri Shobhit Koshta, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-10-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 24-03-2017 in connection with Crime No.75/2017 registered at P.S. -Kondagaon, District- Kondagaon, Chhattisgarh for the offence under Section 20(B)(ii)(b) of NDPS Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 24-03-2018. No case is made out against him. Similarly placed co-accused persons have been granted bail by this Court. Hence, it is prayed that the applicant may also be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. 51.96 kg. Ganja was seized from the possession of this applicant and three other co-accused persons jointly. Hence, this case.
6. For the reason that the independent witnesses have not supported the prosecution case, as submitted by counsel for the applicant and that the trial

against this applicant is getting delayed and also that similarly placed co-accused persons have been granted bail by this Court, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge