NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7309 of 2018

Rajesh S/o Jawahar Lal Rathore Aged About 22 Years R/o Mahuda, Police Station- Jaithari, Civil And Revenue District- Anuppur, Madhya Pradesh., District : Anuppur, Madhya Pradesh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Sarangarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Ashish Gupta, Advocate.
For the Respondent/State : Shri Ashish Shukla, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

29.10.2018

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn on 11.1.2018 in M.Cr.C. No. 6887 of 2017. The applicant has been arrested in connection with Crime No.147 of 2017, registered at Police Station – Sarangarh, Raigarh, District Raigarh, Chhattisgarh for the offence punishable under Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The independent witnesses of search and seizure have not supported the prosecution case. The applicant is in jail since 22.5.2017 and the trial against the applicant is still not concluded. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, 2 quintal 5 kg of ganja (narcotic substance) was seized from the possession of the applicant while he was transporting the same. Hence, this case.

6. Perused the contents of the case-diary and also perused the certified copy of the deposition of search and seizure produced alongwith the application, I feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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 trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi