

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6468 of 2017**

Udhav Dansena, S/o. Thabir Dansena, Aged about 36 years, R/o. Village Duwari, P. S. Ambabhaona, District -Bargarh, Orrisa.

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station -Sariya, District Raigarh Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant	: Ms. Reena Singh, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**17/01/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.92/2017, registered at Police Station – Sariya, District – Raigarh (C.G.) for the offence punishable under Section 20 (B) (ii) (B) of Narcotic Drugs & Psychotropic Substances Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 28.07.2017, charge-sheet has been filed after completion of investigation, applicant is ready to abide all the conditions imposed for grant of bail. Therefore, it is prayed that the applicant be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant is resident of Orissa and if he is released on bail, his availability before the trial Court shall become difficult, hence, he is not entitled to be released on bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case of the prosecution in brief is that 2.030 Kg. of Ganja (Narcotics substance) was recovered and seized from the possession of the applicant in Bus-stand -Baramkela on the basis of which, this case has been registered against him.
6. Considered the submissions made and the contents of the case diary. Considering the over all facts and circumstances of the case, 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 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 local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge