

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6920 of 2017

- Prakash @ Pintu Mishra S/o Dattatrey Mishra, Aged About 20 Years, R/o Ward No. 2, Pichhapara Patthalgali, Balangir, Police Station And District Balangir Orrisa

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Telibandha, Raipur District Raipur Chhattisgarh

---- Non-applicant

For Applicant – Shri Pushpendra Kumar Patel, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

12-01-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant has been arrested on 06-07-2017 in connection with Crime No.267/2017 registered at P.S. Telibandha, Raipur, District Raipur, C.G. for the offence under Section 20(B) of Narcotic Drugs and Psychotropic Substance Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case has been made out against him on the basis of material of the prosecution case. The applicant is in jail since 06-07-2017. He is ready to abide by all the conditions imposed on grant of bail. Hence, it is prayed that the applicant may be released on bail.

3. Learned counsel for the State/non-applicant opposes the application and submission made. It is submitted that 10 kg. ganja has

been seized from the applicant. Hence, he is not entitled for grant of bail.

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

5. On secret information received the police personnel of Police Station Telibandha, Raipur searched the applicant who was traveling in a bus and found in his possession in a bag 10 kg. of ganja, on the basis of which the case has been registered against him.

6. Considered on the submissions made and contents of the case diary.

7. The trial of the case is likely to take some time before its conclusion and the availability of the applicant can be ensured by imposing suitable conditions, hence for these reasons, this Court is of the considered view that the application filed by the applicant for grant of regular bail deserves to be allowed.

8. Consequently, the application (MCRC No.6920/2017) filed under Section 439 of the Cr.P.C. by the applicant 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 local surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge