

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7647 of 2017

- Sanjay Gouriya S/o Shri Rasid Gouriya Aged About 20 Years R/o Daldapara, Ward No. 6, Police Station City Kotwali, Civil And Revenue District Kabirdham Chhattisgarh., Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station, Nandghat, Civil And Revenue District Bemetara Chhattisgarh., Chhattisgarh

---- Respondent

For Applicant	:	Mr. Jitendra Gupta, Advocate.
For Respondent/State	:	Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/02/2018

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. 493/2017, registered at Police Station- Nandghat, District – Bemetara(C.G.) for the offence punishable under Section 20(b) of the NDPS Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 13.8.2017. No case is made out against him. Applicant is local resident of District- Kabirdham and he is in detention since 13.8.2017 and he is willing to abide by all the conditions and direction, which may be imposed on him while granting bail. Hence, it is prayed that applicant be enlarged

on bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. On the date of incident the police personnel of PS-City Kotwali, Kabirdham. Searched the applicant and found from his possession 1.5 kg ganja (narcotic substance) from his possession and on that basis, the case was registered against him. After completion of investigation, charge-sheet has been filed.
6. Considered.
7. Applicant is in since 13.8.2017. applicant is local resident of District-Kabirdham. There is no likelihood of his absconsion. Hence, for this reason, I am of this view that applicant should be benefited with grant of regular bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. 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 Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge