

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7782 of 2017

- Jagga Gouda S/o Shri Dhaneshwar Gouda Aged About 22 Years R/o Village Simlyguda Kolar Police Station Bhoeipari Guda District Koraput Odisha ,

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Ganj Thana , Raipur District Raipur Chhattisgarh.

---- Respondent

For Applicant : Mr. Dheerendra Nath Nande, Advocate.

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer.

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

20/02/2018

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. 273/2017, registered at Police Station- Ganj Thana, District – Raipur(C.G.) for the offence punishable under Section 20(B) Narcotic Drug and Psychotropic Substances Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 23.7.2017. No case is made out on the basis of the material present in the charge-sheet filed against him. Applicant is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that applicant is resident of other State Odisha, hence, if he is released on bail his presence before the trial Court will be affected which may result in the progress of the trial against him, hence, he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. On the basis of a secrete information received the police personnel of PS-Ganj, Raipur, stopped the applicant travelling on a motorcycle bearing registration No.OR-22C-3554 and on search 7.5 kg ganja narcotic substance was found in a travel bag carried by this applicant. Seizure was made and the case was registered agianst this applicant.
6. Considered.
7. Charge-sheet against this applicant have been filed on 8.9.2017, as it appears that the trial against this applicant had made no progress so far. The trial against this applicant is likely to take more time. For this reason, I am of this view that this is a fit case where applicant should be released on regular bail during pendency of the trial against him.
8. Accordingly, the first 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 local surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge