

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7811 of 2017**

Gopal Mahkul, S/o. Shri Shibo Mahkul, Aged About 31 Years, Occupation Labour, R/o. Village Diyagarh, Police Station And Tahsil Lailunga, District-Raigarh Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station-City Kotwali- Lailunga Civil And Revenue District Raigarh Chhattisgarh.

---- Respondent

For Applicant : Ms. N.K. Kashyap, Advocate

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**08/03/2018**

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.231/2017, registered at Police Station –City Kotwali Lailunga, District – Raigarh (C.G.) for the offence punishable under Section 20(B) of the N.D.P.S. 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 25.08.2017, charge-sheet has been filed against him after completion of investigation, he is local resident of District – Raigarh and there is no likelihood of his absconsion, therefore, he may be released on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. On search made by the police personnel of Police Station – City Kotwali Lailunga, 15.2 Kg. of narcotics substance Ganja was found in the possession of this applicant. On that basis, the case has been registered against the applicant.
6. Considered the submissions made and the contents of the case diary. Considering the entire material present in the case diary and further considering the fact that the trial against the applicant will take sometime for its conclusion, applicant is in jail since 25.08.2017 and no purpose would be served, if the, applicant is kept in detention till the conclusion of trial, hence for this reason, 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 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