

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC No. 8409 of 2018**

- Komlu Khora S/o Arjun Khora Aged About 25 Years R/o Village Datunguda, Police Station - Chitarguda, District - Malkalgiri, Orissa.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Police Station - Devendra Nagar, Raipur, District - Raipur, Chhattisgarh.

**---- Respondent**

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| For Applicant        | : Shri Syed Imtiaz Ali, Advocate.     |
| For Respondent/State | : Shri Bhaskar Payashi, Panel Lawyer. |

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**14/11/2018**

1. The applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 6/2018, registered at Police Station Devendra Nagar, District Raipur (C.G.) for the offence punishable under Section 20 (b) of the NDPS Act.
2. First bail was dismissed as withdrawn with liberty to revive after three months vide order dated 03.07.2018 passed in M.Cr.C. No. 4222/2018.
3. As per prosecution story, on 07.01.2018, on the basis of information received from an informant, investigating officers of the case searched the applicant and seized total 4 Kgs. of contraband Ganja from his possession and he has been arrested on the same day.
4. Learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case. He further submits that the seizer witnesses of the case were

examined before the Trial Court where they have not supported the case of the prosecution and turned hostile, the applicant is in custody since 07.01.2018, trial will take some more time, therefore, he may be released on bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for both the parties.
7. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the seizer witnesses have not supported the case of the prosecution and turned hostile, the applicant is in custody since 07.01.2018, trial will likely to take some more time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**

**Judge**