

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9469 of 2018**

Kamlesh Singh, S/o Shri Tek Singh, Aged About 30 Years, R/o Rampur Adda, Post- Slahpur, Police Station- Fufund, District- Aouraiya (C.G.)

At Present R/o In the House of Ramesh Sahu on rent, Behind Bus Stand, Sukma, Police Station- District (Revenue) Sukma, District- (Civil)- Bastar (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station- G.R.P., District- Raipur (C.G.)

---- Respondent

For Applicant : Mr. Yogesh C. Pandey, Advocate.

For State : Mr. Vinod Kumar Tekam, PL.

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

13/12/2018

1. This is second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 08.03.2018 in connection with Crime No. 57/2018 registered at Police Station- G.R.P. Raipur, District- Raipur (C.G.), for the offence punishable under Section 20(ii)(B) of Narcotic Drugs and Psychotropic Substances Ac, 1985.
2. In the present case, on 08.03.2018 the police authorities received secret information about carrying, possessing and selling of contraband article ganja by the applicant. The applicant was arrested and 5 kg. of contraband article was seized from his illegal possession.

3. Learned counsel for the applicant submits that the applicant has been arrested on 08.03.2018 and since then, he is in custody. The trial court recorded evidence of independent witnesses of seizure, who have not supported version of the prosecution, therefore, the applicant may be enlarged on bail.
4. On the contrary, learned State counsel opposes the application for grant of bail.
5. Looking to the fact that the applicant is in jail since 9 months, without further commenting on merits of the case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
Judge