

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9964 of 2018**

- Shivkumar Jaiswal S/o Harishankar Jaiswal Aged About 42 Years R/o Sidgaon Mojhi, police Station Narumal Gej, district Sihor Madhya Pradesh.

---- Applicant in jail**Versus**

- State Of Chhattisgarh Through Station House Officer, police Station Golbazar, district Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For the Applicant : Shri Naveen Shukla, Advocate
 For the Respondent/State : Shri Ravindra Agrawal, G.A.

Hon'ble Shri Justice Gautam Chourdiya**ORDER On Board****19.12.2018**

1. The applicant has preferred this application under Section 439 of Cr.P.C. as she is in jail since 13.09.2018 in connection with Crime No 190/2018, registered in Police Station- Gol Bazar, District- Raipur (Chhattisgarh) for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.
2. Allegation against the applicant is that he was found in illegal possession of about 4 kg Cannabis(Ganja).
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 13.09.2018. He also submits that the co-accused has already been granted bail by this Court, the offence is triable by the Magistrate and conclusion of trial is likely to take some time.
4. On the other hand, learned counsel for the State opposes the bail

application. However, he submits that the applicant has no criminal antecedents.

5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case particularly, considering the fact that the co-accused has already been granted bail by this court, the quantity of liquor and the detention period of the applicant and the fact that conclusion of trial may take some time, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. He is directed to appear before the trial Court on each and every date given to her by the said Court, till disposal of the trial.

6. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)
Judge

Amita