

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 523 of 2019

- Vishnu @ Vishu Netam S/o Lakhma Netam, aged about 22 Years, R/o Village-Patarras Sarpanch Para Near Ieta Bhatti, P.S. & District-Dantewada State Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through P.S. Nagarnaar, District-Bastar Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vikash A. Shrivastava, Advocate
For State/respondent	: Mr. I. Lakda, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

04/02/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.153/2015 registered at Police-Station-Nagarnaar, District-Bastar(C.G.) for the offence punishable under Section 20(B) of 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. No case is made out against this applicant. Similarly placed co-accused person Amit Jaiswal has been granted bail by this Court in M.Cr.C. No.4227/2018 vide

order dated 23.7.2018. The trial against this applicant is getting delayed and the applicant is in jail since more than 3 years, therefore, it is prayed that applicant may be granted regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that huge quantity of contraband has been seized from the possession of this applicant and the co-accused person, therefore, he is not entitled for grant of regular bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Police personnel of P.S.-Nagarnaar made a seizure of 245.35 kg ganja the narcotic substance, which was being transported in the vehicle bearing Registration No.M.P.-20-GA-2789, this applicant was one of the occupants of the vehicle seized. Hence, this case.
6. The co-accused person has been granted bail only for the reason, that the trial getting delayed. This applicant also appears to be similarly placed, for this reason, I am of the view that this is a fit case where applicant should be released on regular bail.
7. Accordingly, this second 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 surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge