

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 694 of 2019**

- Bharat Lal Chandra S/o Kartik Chandra Aged About 67 Years R/o Village Budhwari Bazar Chowk, Thana Rampur Kotwali, District Korba CG

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Basna District Mahasamund Chhattisgarh

---- Respondent

For applicant	Mr. Vikas Pradhan, Adv.
For non-applicant/State	Mr. S.R.J. Jaiswal, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****29-1-2019**

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. His first bail applicant was dismissed by this Court vide order dated 22-11-2018 passed in MCRC No. 7044/2018 for want of prosecution.
2. Case diary is not available. Counsel for the applicant produced the copy of charge sheet for perusal of this court.
3. The applicant has been arrested in connection with Crime No. 343/2018 registered in police station Basna, Distt. Mahasamund (CG) for offence punishable under Section 20(B) of NDPS Act.
4. Prosecution story in brief is that on 31-8-2018, Asstt. Sub Inspector Hemlal Nag posted at PS Basna seized 18.500 kg cannabis from possession of the applicant and co-accused Gundlu Sahu.
5. Counsel for the applicant submits that the applicant is suffering from heart disease and his condition is serious. Thus on the health ground, he may be released on bail.
6. On the other hand, the State Counsel opposed the bail application.
7. As per photo copy of the arrest memo which is part of charge sheet, no criminal antecedent has been reported against applicant.
8. As per photo copy of the check list for in-patient admission of Ramkrishna Care Hospital, it was diagnosed that the applicant is suffering from heart failure. His condition is serious and poor

prognosis and there is danger to his life.

9. Looking to the health condition of the applicant, this court adopts humanitarian approach and without touching merit of the case, allows the application. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
10. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge