

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1920 of 2019

- Onkar Giri Goswami S/o Shri Dariao Giri Goswami Aged About 50 Years R/o Ward No. 02, Imlibhata, P. S. Mahasamund Tahsil Civil And Revenue District And District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The P. S. Mahasamund, District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Non-applicant

For Applicant : Mr. J. A. Lohani, Advocate.

For Non-applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board05.04.2019

- This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
- Case diary not produced. Counsel for the applicant produced photocopy of the charge sheet.
- The applicant has been arrested in connection with crime No. 63/2019 registered at Police Station – Mahasamund, District Mahasamund (C.G.) for the offence punishable under Section 20(B) of the NDPS Act.
- Case of the prosecution, in brief is that on 03.02.2019 at about 19:30 hours at Station Road Mahasamund near to Gurudwara 6.500 Kg cannabis was seized from the possession of the applicant.
- Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
- On the other hand, learned counsel for the State opposes the bail application, however, submits that as per the photocopy of the arrest memo of the applicant which is part of the charge sheet no antecedent has been reported against him.
- Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
- Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

JUDGE