

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3290 of 2019

- Santosh Chouhan S/o Panchhu Chouhan, Aged About 40 Years, R/o Village- Ranka, Police Station Bemetara, District- Bemetara, Chhattisgarh, District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bemetara, District- Bemetara, Chhattisgarh, District : Bemetara, Chhattisgarh

----Non-applicant

For Applicant – Mr. Sanjeev Kumar Sahu, Advocate.

For Non-applicant/State – Ms. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-06-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 15-03-2019 in connection with Crime No.120/2019 registered at P.S. - Bemetara, District Bemetara, Chhattisgarh for the offence under Section 20(B), 29 of Narcotic Drugs and Psychotropic Substances Act 1985.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 15-03-2019. His first bail application before this Court was dismissed as withdrawn with liberty to revive the same after filing of charge sheet. Now, the charge sheet has been filed and there is no likelihood of early conclusion of the trial against him. Hence, it is prayed that the applicant may be allowed.
3. Learned counsel for the State/non-applicant opposes the application and submits that there is also one previous case registered against him.
4. Heard learned counsel for the parties and perused the case diary.

5. Police personnel of P.S. Bemetara made seizure of 1.600 kg. Ganja from the possession of this applicant while he was transporting the same. Hence, this case.

6. After considering the facts that the quantity of Ganja is although more than small quantity but less than commercial quantity, the applicant is local resident and there is no likelihood of conclusion of the trial against him in near future, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge