

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3602 of 2019

Narendra Meher, S/o. Dingra Meher, Aged About 41 Years, R/o. Village-
Dahita, Thana- Buden, District- Bargarh, Odisha.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station-
Saraipali, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pawan Kesharwani, Advocate

For Respondent : Mr. Anand Verma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12.07.2019

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.227/2017 registered at Police Station- Saraipali, District Mahasamund (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs Psychotropic Substance Act.
2. As per the prosecution case, the applicant while was traveling alongwith the other co-accused on 16.07.2017 when intercepted and the vehicle was searched, 1.2 Quintals of Cannabis was recovered from the vehicle.
3. Learned counsel for the applicant submits that the first bail application was dismissed as withdrawn on 12.12.2017 and subsequently one co-accused Rajkumar Meher has been enlarged on bail by the coordinate Bench of this Court on 26.11.2018 in MCRC No.6536 of 2018 and therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the other co-accused has already been enlarged on bail by the coordinate Bench.
5. Perused the case diary and the bail order passed by the coordinate Bench to the other co-accused. The applicant appears to be in jail since 16.07.2017, therefore, in order to keep parity in the order of the coordinate Bench since both the accused were caught on the same date & same vehicle and one accused had already been enlarged on bail by the coordinate Bench, without any observation on merit, on the ground of parity of the order of the coordinate Bench, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

Sd/-
(Goutam Bhaduri)
Judge