

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3944 of 2019

- Sukalu Dhivar S/o Svarup Dhivar, Aged About 63 Years, R/o Village Makidih, Police Station Tumgaon, Mahasamund, Civil & Revenue District- Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, Police Station- Tumgaon, Mahasamund, Civil & Revenue District- Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

----Non-applicant

For Applicant – Shri Kripesh G. Kela, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-07-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 11-05-2019 in connection with Crime No.100/2019 registered at P.S. - Tumgaon, District Mahasamund, Chhattisgarh for the offence under Section 20(B) of N.D.P.S. Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 11-05-2019. No case is made out against the applicant. He will prove his innocence in the trial. Therefore, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. 1.8 Kg. Ganja has been seized from the possession of this applicant by police personnel of P.S. Tumgaon, District Mahasamund while he was transporting the same in a scooter.

6. After considering that this applicant is a local resident of District Mahasamund and trial is yet to begin and conclusion of the same is likely to take some time, 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