

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4357 of 2019**

Ramesh Gautam S/o Shri Ramkripal Aged About 55 Years R/o Rigriga Chowk, Belgahna, Police Station Kota, District Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Outpost Belgahna, the Station House Officer Kota, District Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Shubham Dev Mallick, Advocate.
For the Respondent/State	:	Shri Chandrabhushan Kesharwani, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****07.08.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.284 of 2019, registered at Out post Belgahna, Police Station – Kota, District – Bilaspur, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 21.6.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Hence, it is prayed that the applicant be enlarged

on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant was prosecuted in a similar case in the year 2010. Hence, looking to the criminal history, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, the police personnel of Outpost Belgahna, P.S. Kota, District Bilaspur made a seizure of 1kg 400gm of ganja from the possession of this applicant. Hence, this case.

6. After considering the material present in the case-diary and for the reason that the applicant is a local resident of this State and his availability for the trial shall not be compromised if he is released on bail, therefore, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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 trial Court, for his appearance as and when

directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)

Judge