

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4287 of 2019

- Apurv Rai S/o Late Banshidhar, Aged About 24 Years, R/o Nayapara Tahsil Geedam, District Dantewada, Chhattisgarh., District : Dantewada, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Police Station – Keshkal, District – Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

----Non-applicant

For Applicant – Shri Vikas A. Shrivastava, Advocate.

For Non-applicant/State – Shri Neeraj Pradhan, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-08-2019

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 27-07-2018 in connection with Crime No.83/18 registered at P.S. - Keshkal, District - Kondagaon, 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. He is in jail since 27-07-2018. No case is made out against the applicant. The independent witnesses of search and seizure have been examined who have not supported the prosecution case. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. In total 62.310 kg. Ganja has been recovered and seized from the possession of this applicant by police personnel of P.S. Keshkal, District Kondagaon. Hence, this case.
6. Perused the certified copy of the deposition of the independent

witnesses of search and seizure who have not at all supported the prosecution case, further, the applicant is local resident of District Kondagaon, therefore, after due consideration, 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