

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4582 of 2019

Rahul Honade, S/o. Shri Vijay Rao Honade, Aged About 25 Years, R/o. Dhaman Gaon, Post- Dahegaon, P.S.-Sanvagi, District- Vardha, Maharashtra.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- Farasgaon, District- Kondagaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shobhit Koshta, Advocate

For Respondent : Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02.08.2019

1. This is the third 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.99/2017 registered at Police Station Farasgaon, District Kondagaon (C.G.) for offence punishable under section 20 B (ii) (c) of NDPS Act.
2. The first bail application was dismissed on 26.06.2018 on merit and second bail application was dismissed as withdrawn on 04.01.2019 with liberty to renew the prayer for bail if the trial is not concluded within a period of six months.
3. As per the prosecution case, on a secret information received that in vehicle bearing No. M.H.32-C/3202 cannabis are being transported vehicle was intercepted and as per prosecution another vehicle fled away from the scene. Subsequently, few of the accused were arrested. Subsequently, Rahul Honade was arrested on the same date on 08/10/2017 and Rajkanya @ Kalo Bai was arrested subsequently on 23/03/2018 after six months.

4. Learned counsel for the applicant submits while dismissing the second bail application liberty was given to renew the prayer for bail if the trial is not concluded within a period of six months. He further submits that till today, 11 witnesses are still to be examined and the applicant is in jail since 09.10.2017, which is not disputed by the State counsel.
5. Perused the case diary and the documents. Considering the fact that the period of two years have already been passed, the trial is not concluded and the applicant is in jail since 09.10.2017, 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