

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5306 of 2019

- Vinod Singh S/o Rai Singh, Aged About 22 Years, R/o Village Navapara, Surajpur, Police Station and District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Surajpur, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

----Non-applicant

For Applicant – Shri Pushpendra Kumar Patel, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

25-09-2019

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 02-02-2019 in connection with Crime No.275/2018 registered at P.S. - Surajpur, District Surajpur, Chhattisgarh for the offence under Section 21(B) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. It is submitted on behalf of the applicant that the applicant is innocent and he has been falsely implicated in this case. He is in jail since 02-02-2019. The applicant was earlier granted regular bail by the trial Court itself on 16-10-2018, however, because of his non-appearance on subsequent date non-bailable arrest warrant was issued and the applicant has been arrested and placed in detention since 02-02-2019. The trial against the applicant has not made any progress. Therefore, it is prayed that he 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. As the applicant was already on bail from the order passed by the trial

Court and subsequent to his arrest and detention since 02-02-2019 it appears that the trial has not concluded against him so far and he is languishing in jail without fault on his part, therefore, I feel inclined to allow this application.

6. 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.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge