

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5230 of 2019

Sheikh Tabrej, S/o. Late Shri Sheikh Maula Ali, Aged About 32 Years (Not Mentioned In The Order Sheet) R/o Gandhi Nagar, Murra Bhatthi, Near Sinha Kirana Store, Gudiyari, District Raipur Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, Police Station Gudiyari, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. C.R. Sahu, Advocate
For Respondent/State	: Mr. Shrikant Kaushik, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

20/09/2019

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.269/2019, registered at Police Station – Gudiyari, District – Raipur (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 07.07.2019. No case is made out against the applicant according to the material present on record. Charge-sheet in this case has been filed. Therefore, it is prayed that the applicant may be enlarged on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, 4.210 Kg. of Ganja has been seized from the possession of this applicant by the police personnel of Police Station – Gudiyari, District – Raipur.
6. Considered on the submissions made and the contents of the case diary. Considering the facts and circumstances of the case and taking into consideration this fact that the applicant is local resident of Raipur and his availability can be ensured by imposing condition and further the case is now pending for trial, hence for this reason this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge