

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1833 of 2020**

Pramodh, S/o Lakhiram, aged about 19 years, Caste Kashyap, R/o Baiga, P.S. Gannaur, District Sonipath Hariyana.

---- Applicant**Versus**

State of Chhattisgarh, through P.S. Nagarnaar, District Bastar (CG).

---- Non-applicant

For Applicant	: Mr. Vikas A. Shrivastava, Advocate
For Non-applicant	: Mr. Suyash Dhar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

19.03.2020

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.113/2018 registered at Police Station Nagarnaar, District Bastar for the offence punishable under Section 20(B) of N.D.P.S. Act.
3. The first bail application of the applicant was dismissed as withdrawn by this Court vide order dated 26.04.2019 passed in M.Cr.C. No.1571/2019.
4. Case of the prosecution, in brief, is that on 01.07.2018, A.S.I. Shri Kishore Kumar Joshi, posted at police station Nagarnaar seized 12 kg cannabis from the possession of the applicant.
5. Counsel for the applicant submitted that the applicant has not committed any offence, he is an innocent person and has been falsely implicated in the case. He further submitted that the applicant is in jail more than 1year & 8 months and there is no progress in the trial, hence the applicant may be released on bail.
6. On the other hand, counsel for the State opposed the bail application. However, he submitted that no criminal antecedent has

reported against the applicant as per police case diary.

7. This is true that the detention period of the accused and delay in trial are material factors for disposal of the bail application of the applicant. But equally it is also true that seriousness of the offence and impact of granting bail to the applicant on society are more important and material factors.

8. Looking to the above mentioned facts and circumstances of the case, this Court finds that this is not a fit case where the applicant may be released on bail in the second round of litigation. Consequently, the second bail application is rejected. However, the trial Court is directed to expedite the trial and conclude the case as early as possible from the date of receipt of certified copy of this order.

9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-