

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2878 of 2020

Tahasin Khan, S/o Hasan Khan, Aged About 35 Years, Caste Musalman, R/o Near Dusara Nagova Ratangunj, P. S. Nagpuri, District Amarwati, Maharashtra, District : Amravati, Maharashtra

---- **Applicant**

Versus

State Of Chhattisgarh Through Police Station Farasgaon, District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- **Respondent**

For Applicant : Mr. Rajesh Jain, Advocate
For Respondent : Mr. Raghvendra Verma, Govt. Advocate

Hon'ble Smt. Justice Vimla Singh Kapoor.

Order On Board

18/06/2020

1. This is the Second bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicant who has been arrested in connection with Crime No. 77/2017 registered at Police Station Farasgaon, District Kondagaon (C.G.) for the offence punishable under Sections 20-B (ii) (B) of Narcotics Drugs and Psychotropic Substance Act, 1985.
2. As per prosecution case, on 13.08.2017, the applicant was found in possession of two quintal of Ganja which was transported in a Bolero vehicle bearing registration No. MH No. 37/J-1079 and the seizure of the same was also made.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail since 13.08.2017 since then no progress is there in the trial, which is likely to take some more time for conclusion. He further submits that in a case where three quintals of

ganja was found, the bail has been granted by the coordinate bench to the applicant and therefore a prayer for bail has been made in this case also.

4. Per contra, learned State counsel opposes the prayer for bail.
5. Taking into consideration the facts and circumstances of the case, that the applicant is in jail since 13.08.2017 and no progress in the trial is noticeable and that the trial is not progressing desirably so far, this Court is of the opinion that the present is a fit case, in which, the applicant can be enlarged on bail. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs. 1,00,000/- with two local sureties of 50,000/- each for the like sum to the satisfaction of the concerned Court, for his appearance as and when so directed.
6. CC as per rules.

Sd/-
(Vimla Singh Kapoor)
Judge

Santosh