

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6564 of 2020

- Jugal Sidar S/o Kishore Sidar, Aged About 28 Years R/o Village Chhulpali, Police Station Singhoda, Tahsil Saraipali, District Mahasamund Chhattisgarh.

----- Applicant

Versus

- State of Chhattisgarh Through Station House Office, Police Station Singhoda, District Mahasamund Chhattisgarh.

----- Respondent

For Applicant :- Mr. Raghvendra Pradhan, Adv.
For State/Respondent:- Mr. Sunil Otewani, Addl. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

09/10/2020

1. Proceedings of this matter have been taken up through video conferencing.
2. The accused/applicant has moved this bail application under Section 439 of Code of Criminal Procedure, 1973 for grant of

regular bail during trial in connection with Crime No.74/2020, registered at Police Station Singhoda, District Mahasamund, C.G. for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substance Act, 1985.

3. Case of the prosecution, in brief, is that 02.000 Kg. of cannabis was recovered from the possession of the present applicant and thereby committed the aforesaid offence.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has falsely been implicated in the crime in question. He further submits that the applicant is in custody since 08.09.2020 and the trial is likely to take time for its conclusion, as such, the applicant may be released on regular bail.

5. On the other hand, learned State counsel opposes the bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, pre-trial detention of the applicant, considering quantity of cannabis which is more than small quantity and less than commercial quantity, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C., is allowed.

9. 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 trial Court, for his appearance as and when directed.

10. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the

order of the Supreme Court of India dated 23.03.2020 in the matter of in Re : Contagion of COVID 19 Virus in Prisons (Suo Motu Writ Petition (C) No.1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished bail bonds earlier, then he will be required to furnish bail bonds.

11. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit