

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.6313 of 2019**

- Surendra Mihir S/o Kokila Mihir Aged About 35 Years R/o Village Chichaiguda, Police Station Junagarh, District Kalahandi (Odisha).

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Lalbag, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant : Shri Ganesh Burman, Advocate
 For respondent/State : Shri Afroj Khan, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****21.01.2020**

1. This is fourth bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 11.02.2018 in connection with Crime No.66/2018 registered at Police Station Lalbag, Distt. Rajnandgaon (C.G.), for the offence punishable under Section 20 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant was arrested on 11.02.2018 and thereby he is in custody for about two years, the trial is not concluded, the applicant is suffering from HIV disease, he is innocent and he will be abiding all the conditions, if released on bail.

3. On the contrary, learned State counsel opposes the application for grant of bail.

5. The appellant is facing trial for possession of contraband article of more than 22 kg which is commercial quantity. His earlier application has been rejected by this Court on merit vide order dated 19.7.2019. After the rejection of said application, there is no substantive change in the circumstances, therefore, bail application filed under Section 439 of the Cr.P.C. is hereby dismissed.

Certified copy as per rules.

**Sd/-
(Ram Prasanna Sharma)
JUDGE**