

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8257 of 2019**

Chhotelal Patwa, S/o Late Dukalu Patwa, aged about 60 years, R/o Village Bundeli,
Police Chowki : Rajgamar, Tahsil & District : Korba (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Chowki : Rajgamar,
Police Station : Balco Nagar, District : Korba (C.G.)

----Non-applicant

For Applicant : Mr. Nitesh Shrivastava, Advocate.
For Non-applicant/State : Mr. Anil Tripathi, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****10/02/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 398/2019 registered at police Station Rajgamar, Police Station Balco Nagar, District : Korba (C.G.) for the offence punishable under Section 20(B) of N.D.P.S. Act.

(2) Case of the prosecution in brief is that the applicant was found in possession of 2 kilograms & 900 grams, which he was carrying unauthorizedly for sale.

(3) Learned counsel for the applicant would submit that applicant has been falsely implicated in the crime in question as there is no evidence on record to connect the applicant with the crime in question. He submits that the applicant is in detention since 19.10.2019; charge sheet has already been filed and the trial is likely to take some time for its final disposal and, therefore, the applicant is entitled to be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the facts and circumstances of the case, particularly the facts that applicant is languishing in jail since 19.10.2019; charge sheet has already been filed; trial is likely to take time for its final disposal and no custodial interrogation is required; I am inclined to release the applicant on bail. Thus, the bail application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

D/-

