

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8437 of 2018**

Hari Prasad Barik, S/o Jaylal Barik, aged about 27 years, R/o Village Sursi, P.S. Sariya, District Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : S.H.O. P.S. - Sariya, District Raigarh (C.G.)

----Non-applicant

For Applicant : Mr. Krishna Tandon, Advocate.
For Non-applicant/State : Mr. Vaibhav Kartike Agrawal, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board**

07/02/2020

(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. 129/2019 registered at police Station Sariya, District Raigarh (C.G.) for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act,

(2) According to the prosecution story, on the basis of information received from an informant, Police Personnel searched the vehicle Innova Car bearing registration No. C.G. 12 R 6337 and seized total 60 kilograms of contraband article cannabis (Ganja) from the possession of the applicant and another co-accused person.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as there is no evidence available on record to connect the applicant with the crime in question. He further submit that applicant is in detention since 08.09.2019 and

similarly situated co-accused person namely Sandeep Chandra has already been granted bail by this Court vide order dated 10.12.2019 in M.Cr.C. No. 6827 of 2019, and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused persons, who have already been granted bail by this Court in M.Cr.C. No. 6827/2019

(5) Taking into consideration the facts & circumstances of the case; particularly the facts that similarly situated co-accused person has already been granted bail by this Court vide order dated 10.12.2019 passed in M.Cr.C. No. 6827 of 2019; applicant is in detention since 08.09.2019 and the trial is likely to take some time for its final disposal; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the 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/-

