

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 728 of 2021**

- Lub Pike S/o Parsuram Aged About 45 Years Resident of Bouncebeda, P.S. Umarkot, Distt. Navrangpur Odisha

---- Applicant**Versus**

- State of Chhattisgarh Through the Police Station Kondagaon, District : Kondagaon, Chhattisgarh

---- Respondent

For Applicant	:	Shri Raza Ali, Advocate.
For Respondent-State	:	Shri Ashish Tiwari, Government Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant, Judge
Order on Board

18.06.2021

1. Heard on the application filed under Section 439 of Cr.P.C. This is the first bail application filed for grant of regular bail. The Applicant has been arrested on 15.10.2019 in connection with Crime No. 258/2020 registered at Police Station Kondagaon, District Kondagaon (C.G.) for offence punishable under Sections 20(B) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the Applicant that the Applicant has been falsely implicated in this case. The Applicant is in jail since 15.10.2019. Trial against Applicant has made no progress so far and he is languishing in jail without any fault in his part. It is prayed that the bail may be granted to the Applicant.
3. The learned counsel for the State opposes the application and it is submitted that the contraband that was seized from the possession of the Applicant is more than small quantity but less than commercial quantity and further that the Applicant is local resident of the other State, therefore, the Applicant is not entitled to grant of bail.

4. I have heard the learned counsel for the parties.
5. According to the prosecution case, the seizure of 735 grams of hashish (*charas*) has been made from the possession of the Applicant, hence this case.
6. Considered on the submissions. Taking into consideration that the Applicant is in jail since 15.10.2019 and the trial against him is not making any progress, hence I am inclined to allow this bail application.
7. Consequently, the application filed by the Applicant under Section 439 of Cr.P.C for grant of regular bail is hereby allowed.
8. 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 Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Hem