

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 980 of 2021**

Raichandra Minj @ Tirka, S/o Late Sukhna Ram, Aged About 45 Years, R/o. - Village - Kanhiyagali, Namankala, Ambikapur, District - Sarguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through - S.H.O. - Bhatgaon, District - Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Hemant Gupta, Advocate
For Respondent/State : Mr. Ashish Tiwari, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

22/06/2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.98/2020, registered at Police Station – Bhatgaon, District – Surajpur (C.G.) for the offence punishable under Section 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 18.10.2020. Co-accused Girwar Prasad Thakur has been granted bail by the Coordinate Bench of this Court in M.Cr.C. No. 8609 of 2020 by order dated 24.02.2021 and the applicant is similarly placed. Therefore, it is prayed that the applicant may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, seizure of 1.4 Kg. Ganja was made from the possession of this applicant and one another co-accused Girwar Prasad Thakur, when the same was being transported by them in the motor cycle. Hence, this case.
6. Considered on the submissions and the facts of the case.
Considering that the applicant does not have any criminal antecedents and further the similarly placed co-accused person has been enlarged on bail by the Coordinate Bench of this Court, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge