

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2078 of 2021

- Shrinivas Dhurva S/o Sambaru Dhurva, Aged About 22 Years, R/o. Village Gandhipali, Police Station and District - Kalkangiri (Malkangiri) (Odisha)

---- Applicant

Versus

- State Of Chhattisgarh, Through: The Station House Officer Police Station Devendra Nagar, Raipur District - Raipur (C.G.)

---- Non-applicant

For Applicant – Shri Rajkumar Pali, Advocate.

For State/Non-applicant – Smt. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-06-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 22-01-2021 in connection with Crime No.15/2021 registered at Police Station – Devendra Nagar Raipur, Chhattisgarh for the offence under Section 20 (ii) (C) of the N.D.P.S. Act.
2. It is submitted by learned counsel for the applicant, that the applicant has been falsely implicated. He is in jail since 22-01-2021. The applicant has not committed any offence as alleged against him. Charge sheet has been filed. Therefore, it is prayed that the applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the applicant is resident of other State, therefore, if he is granted bail, he may not be available for trial. Hence, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. 9.4 Kg. Cannabis (ganja) was seized from the possession of this applicant by police personnel of Police Station Devendra Nagar, Raipur. Hence, this case.
6. Considered on the submissions. Taking into consideration that the trial

against the applicant is held up because of continuation of the pandemic situation and he is in jail since about six months, hence, for this reason I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge