

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2280 of 2021**

Jitendra Das @ Appu Das S/o Gyandas, Aged About 31 Years R/o Bhim Dafai Sonamani, Police Station Chirmiri, District Korea Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through - The Station House Officer, Police Station, Chirmiri, Civil And Revenue District Korea Chhattisgarh.

---- Respondent

For Applicant : Mr. Banhiman Roy, Advocate

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****15/06/2021**

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.32/2021, registered at Police Station – Chirmiri, District – Korea (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 29.01.2021. Charge-sheet in this case has been filed. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant has previous antecedents as he was earlier prosecuted for the offence punishable under Section 376 of the Indian Penal Code. Hence, he is not entitled for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, the police personnel of Police Station – Chirmiri has seized 1.200 Kg. of Ganja from the possession of the present applicant.
6. Considered on the submissions. Considering the quantity of the contraband seized and also taking into consideration the fact that charge-sheet in this case has been filed, the applicant is in jail since 29.01.2021 and he is the local resident of this State, hence for these reasons, 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